

MINISTRY OF HOME AFFAIRS

New Delhi, the 15th March, 1977

S.O. 1010.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Administrator of the Union territory of Dadra and Nagar Haveli shall, subject to the control of the President and until further orders, exercise the powers of the central Government under sub-section (2) of section 2 of the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions) Regulation, 1963 (8 of 1963).

[No. U-11030/2/77-UTI]

H. C. BAKHSHI, Under Secy

गिर्ज मंत्रालय

(राजस्व और बैंकिंग विभाग)
(बैंकिंग पक्ष)

नई दिल्ली, 11 मार्च, 1977

का० प्रा० 1011.—बैंककारी विनियमन प्रविधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की मिफारिश पर एन्ड्राग्रा घोषित करती है कि उन अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध 28 फरवरी, 1974 से प्रारम्भ होकर 28 फरवरी, 1977 को समाप्त होने वाली अधिक के लिए 'रत्नगिरि अवैन को-ऑपरेटिव बैंक लिमिटेड', रत्नगिरि, पर लागू नहीं होगे।

[सं० एफ० 8/3/77 ए० सं०]

की० एन० बहादुर, उप मण्डित

MINISTRY OF FINANCE
(Department of Revenue & Banking)
(Banking Wing)

New Delhi, the 11th March, 1977

S.O. 1011.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to the Ratnagiri Urban Co-operative Bank Ltd., Ratnagiri for the period from 28th February, 1974 to 28th February, 1977.

[No. F. 8/3/77-AC]

V. N. BAHADUR, Dy Secy

नई दिल्ली, 17 मार्च, 1977

का० प्रा० 1012.—बैंककारी विनियमन प्रविधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय गिर्ज बैंक की मिफारिश पर एन्ड्राग्रा घोषित करती है कि उपर्युक्त अधिनियम की धारा 9 के उपबन्ध 5 अक्टूबर, 1977 तक 'विजया बैंक लिमिटेड, मंगलीर', पर उस सीमा तक लागू नहीं होगे जहाँ तक कि उनका सम्बन्ध इस बैंक द्वारा मंगलीर (दक्षिण कनारा) में शृङ् ग्राम समर्पित (भूमि खाता दी० एम० संख्या 832) से है।

[सं० 15(6)-की० ए० सं० III/77]

मे० भा० उमरगायकर, ग्रवर मण्डित

New Delhi the 17th March, 1977

S.O. 1012.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply till 5th October, 1977 to the Vijaya Bank Ltd., Mangalore in respect of the immovable property (plot of land bearing T.S. No. 832) held by it at Mangalore (South Kanara).

[No. 15(6)-B.O. III/77]

M. B. USGAONKAR, Under Secy.

नई दिल्ली 19 मार्च, 1977

का० आ० 1013.—प्रादौशिक भारीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (6) के द्वारा प्रदत्त शक्तियों ना प्रयोग करते हुए, केन्द्रीय सरकार एन्ड्राग्रा, पूरी ग्राम्य बैंक पिपली, के अध्यक्ष श्री सुरेन्द्र महान्नी के 28 मार्च, 1977 से 16 अप्रैल, 1977 तक 3 गांताह की अधिक के अवकाश के दौरान, दृष्टियन ऑवरसीज बैंक, कटक, के प्रबंधक, श्री पी. ए. सम्बू को उक्त पूरी ग्राम्य बैंक के अध्यक्ष के रूप में नियुक्त करती है।

सं. प्रक. 4-87/75-प.गी ।

सी. आ० बिश्वास, उप राजित

New Delhi, the 19th March, 1977

S.O. 1013.—In exercise of the powers conferred by sub-section (6) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri P. A. Sambu, Manager, Indian Overseas Bank, Cuttack to act as the Chairman of the Puri Gramya Bank, Pipli during the period of absence on leave of Shri Surendra Mahanty, Chairman of the said Puri Gramya Bank for a period of 3 weeks commencing on the 28th March, 1977 and ending with the 16th April, 1977

[No. F. 4-87/75-VC]

C. R. BISWAS, Dy Secy.

कौन्त्रीय उत्पादन भूम्लक नथा सीमाश्लक घोड़

नई दिल्ली, 2 अप्रैल, 1977

सीमाश्लक

का० आ० 1014.—केन्द्रीय उत्पाद-शलक और सीमाश्लक घोड़, भारत सरकार के विस मंत्रालय की अधीसंनाम सं. 95 सीमा-शलक तारीख 7 जून, 1960 के साथ पठित सीमा-शलक अधिनियम 1962 (1962 का 52) की धारा 152 के स्पष्ट (धा) के अनुसरण में, राजनाट सर्किल और कृष्णगढ़ रसीद-शलक के अधीन पैलापोल सर्किल के सीमा-शलक अधीक्षक, और कलक ता सीमाश्लक हिंदीजन पश्चिमी झंगाल, कालकत्ता के अधीन बलकलता भूला निश्चारण पक्क के अधीक्षक को उक्त अधिनियम की धारा 143 के अधीन मान की निकामी ने लिए वंधुपत्रों के स्वीकार करने और उन्हें रद्द करने की योक्ता सहायक सीमा-शलक शलक्टर ने ग्रक्तियों का प्रयोग करने के लिए सक्षम नहीं है।

सं. ग्री. 35/फा सं. 500/2/76-सी.श.।

एन. कृष्णमूर्ति, अवर गच्छ

(Central Board of Excise & Customs)

New Delhi, the 2nd April, 1977

CUSTOMS

S.O. 1014.—In pursuance of clause (d) of section 152 of the Customs Act, 1962 (52 of 1962), read with the notification of the Government of India, in the Ministry of Finance (Department of Revenue & Insurance) No. 95-Customs dated 7th June, 1969, the Central Board of Excise and Customs hereby empowers the Superintendents of Customs Ranaghat Circle and Petrapole Circle under Krishnanagar Customs Division, and the Superintendent Customs, Calcutta Appraisal Unit under Calcutta Customs Division, West Bengal, Calcutta, to exercise the powers of Assistant Collector of Customs in respect of acceptance and cancellation of bonds for clearance of goods under section 143 of the said Act.

[No. 35 Customs/F. No. 566/2, 76-LC. II]

N KRISHNAMURTHY, Under Secy.

केन्द्रीय उत्पादन शुल्क, समाहर्ता कार्यालय, नई दिल्ली

नई दिल्ली, 14 फरवरी, 1977

(केन्द्रीय उत्पादन शुल्क)

का०आ० 1015 —केन्द्रीय उत्पादन शुल्क, नियमावली, 1944 के नियम 5 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, मैं एनदब्ल्यूआर दिल्ली केन्द्रीय उत्पादन शुल्क समाहर्ता कार्यालय के अधीक्षकों की यह प्राधिकार देता हूँ कि वे अपने अपने अधिकार क्षेत्र में, केन्द्रीय उत्पादन शुल्क नियमावली 1944 के नियम 185 के उपनियम (1) तथा नियम 173 (ग) के उपनियम (2) के अन्तर्गत समाहर्ता की शक्तियों का प्रयोग करें।

[प्रधिसूचना सं० 1-सीई/77/सी० सं० IV(16) 58 सीई/72]

(Central Excise Collector, New Delhi)

New Delhi, the 14th February, 1977

CENTRAL EXCISES

S.O. 1015.—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944, I hereby authorise the Superintendents of Central Excise of Delhi Central Excise Collectorate, to exercise within their respective jurisdictions, the powers of the Collector under sub-rule (2) of rule 1730 and sub-rule (1) of rule 185 of the Central Excise Rules, 1944

[Notification No. 1-CF/77/C No. IV(16) 58 CE/72]

नई दिल्ली, 24 फरवरी, 1977

का०आ० 1016 —भारत के गजपत्र असाधारण भाग II, खण्ड 3, उपशंक्त (1) दिनांक 21-12-1976 में प्रकाशित प्रधिसूचना सं० 291/76-सीई के जारी किए जाने के पश्चात् स्वरूप, एनदब्ल्यूआर मैं इस समाहर्ता कार्यालय की प्रधिसूचना सं० 5/61 दिनांक 32-8-1961 को विवरित करता हूँ। मैं, इस समाहर्ता कार्यालय की प्रधिसूचना सं० 1/61 दिनांक 12-6-1961 की सारणी में दिए गये नियम 145 के प्रथम परन्तुके (क) के संबंध में सहायक समाहर्ता हांग प्रयोग की जाने वाली समाहर्ता की शक्ति भी आपिंग देता हूँ।

2 ग्राम, केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के नियम 5 के अनुसरण में, मैं एनदब्ल्यूआर यहांपक समाहर्ता की यह शक्ति देता हूँ कि, वह नियम 145 के पश्चात् के प्रथम परन्तुके बाद, नये तौर से रखे गए परन्तुके के उपर्योग (क) के अन्तर्गत, "चिमनी के मिशाए हुए

"सम्बाकू" के मामले में, समाहर्ता को शक्तियों, अर्थात् चिमनी के मिशाए हुए तम्बाकू के मामले में, आपात्काण अवधि को, दा वर्षे की सामान्य अवधि के अतिरिक्त अधिक से अधिक एक वर्षे की अवधि के लिए बढ़ाने की शक्तियों का प्रयोग करे।

प्रधिसूचना सं० 2-सीई/77/सी० सं० IV(8) 3 सीई/60]

म० ला० बधवार, समाहर्ता

New Delhi, the 24th February, 1977

S.O. 1016. Consequent upon the issue of Notification No. 291/76-CE published in Part II, Section 3, Sub-section (1) of the Gazette of India Extraordinary dated 21-12-1976, I hereby rescind this Collectorate's Notification No. 5/61 dated 22-8-1961. I also withdraw the powers of the Collector being exercised by the Assistant Collector relating to (a) of first proviso to Rule 145 as given in the table of this Collectorate's Notification No. 1/61 dated 12-6-1961.

2. Further, in pursuance of Rule 5 of the Central Excise Rules, 1944, I hereby empower the Assistant Collector to exercise the powers of the Collector in case of 'flue cured tobacco' under sub-paras (a) of the newly inserted proviso to Rule 145 after the erstwhile first proviso i.e. in the case of flue cured tobacco. Powers for extension of warehousing period for a maximum period of one year, in addition to the normal period of two years.

[Notification No. 2-CE/77/C No. IV(8) 3-CE/60]

M. L. BADWHAJ, Collector

वाणिज्य मंत्रालय

प्राप्ति

नई दिल्ली, 2 अप्रैल, 1977

का०आ० 1017 —केन्द्रीय सरकार की यह राय है कि नियोम (कवालिटी नियंत्रण और निरीक्षण) प्रधिनियम 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के नियीन व्यापार के विकास के लिए भारत सरकार के वाणिज्य मंत्रालय की अवधक सम्बोधी प्रधिसूचना सं० का० आ० 2660 तारीख 30 जूलाई, 1964 में नीचे विवरित ढंग से समोद्देश करना आवश्यक तथा समीजीन है:

झौर केन्द्रीय सरकार ने उसके लिए प्रस्तावों को नियांत्रण (कवालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) द्वारा यथा-प्रयोगित के अनुसार नियांत्रण निरीक्षण परिषद् का भेज दिया है।

प्रतः यथा उक्त उप-नियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को उन सभी लोगों की जानकारी के लिए प्रकाशित करनी है जिनके उपर्योग प्रभावित होने की संभावना है।

2 मह सूचना दी जाती है कि यदि काई अतिक उक्त प्रस्तावों के बारे में कोई आक्षेप तथा सुमाधुर देना चाहे तो यह उसे इस आवेदन के राजपत्र में प्रकाशित की जारीख से पैतानीम दिनों के भीतर भारतीय निर्माता निरीक्षण परिषद् 14/1-वी, एजरा रटीट (मालवी मणिल) कलकत्ता-700001 को भेज देकता है।

प्रस्ताव

भारत सरकार के वाणिज्य मंत्रालय की प्रधिसूचना सं० का० आ० 2660 तारीख 30 जूलाई, 1964 में विवर (1) का उपर्योग (1) के स्थान पर निम्नलिखित प्रतिमापिन किया जाए। अर्थात्—

"(1) प्रधिसूचित करनी है कि सभी प्रकार के अवधक विमर्श से कठ अवधक मंत्रालय भिल्ली कठ अवधक ब्लाक, माइक्रोइंड तथा अवधक

के दुकड़े तथा पाउदर सम्मिलित हैं, निर्यात, से पूर्व निरीक्षण के अधीन होगा तथा प्रबलक के निर्यात (निरीक्षण) नियम, 1964 के अनुसार निरीक्षित किए जाएंगे; तथा”।

[सं० 6(27)/76-नि०नि० तथा नि०उ०]

MINISTRY OF COMMERCE

New Delhi, the 2nd April, 1977

ORDER

S.O. 1017.—Whereas the Central Government is of opinion that, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) it is necessary and expedient to amend the notification of the Government of India in the Ministry of Commerce No. S.O. 2660, dated the 30th July, 1964 relating to Mica, in the manner specified below for the development of the export trade of India;

And whereas the Central Government has forwarded the proposals in that behalf to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same, within forty five days from the date of publication of this order in the official gazette to the Export Inspection Council of India, 14/1B, Ezra Street, (7th floor), Calcutta-700001.

PROPOSALS

In the notification of the Government of India in the Ministry of Commerce No. S.O. 2660, dated the 30th July, 1964, for sub-paragraph (i) of paragraph (1) the following shall be substituted, namely :—

“(i) Notifies that all forms of Mica including Cut-Mica Condenser Films, Cut Mica Blocks, Micanite, and Mica Flakes and Powder shall be subject to inspection prior to export and shall be inspected in accordance with the Export of Mica (Inspection) Rules, 1964 ; and”.

[No. 6(27)/76 E.I.&P.]

आवेदन

का० आ० 1018.—निर्यात (क्वालिटी नियन्त्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीजीन है कि कुचिंठ संशिलष्ट अपमार्जक निर्यात से पूर्व निरीक्षण के अधीन किया जाए;

और केन्द्रीय सरकार ने उक्त प्रयोग के लिए नीचे विविचित प्रस्ताव बनाए हैं और उन्हें निर्यात (क्वालिटी नियन्त्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) द्वारा यथा-प्रयोगित के अनुसार निर्यात निरीक्षण परियद को भेज दिया है:

अतः अब उक्त उपनियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को प्रयोगित होने उप सभी लोगों की जानकारी के लिए प्रकाशित करती है जिनके इसमें प्रभावित होने की स्थितिवता है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में कोई आक्षेप या सुझाव देने की घोषा करते वाला कोई व्यक्ति उसे हम आवेदन के सरकारी राजपत्र में प्रकाशन की तारीख से पैकालीस दिनों के भीतर निर्यात निरीक्षण परिवद्, ‘बर्डे ट्रेड सेंटर’, 14/1बी, एजरा स्ट्रीट, (सातवीं मंजिल) कलकत्ता-1 में सेवा करेगा।

प्रस्ताव

(1) अधिसूचित करना कि संशिलष्ट अपमार्जक निर्यात से पूर्व निरीक्षण के अधीन होगा;

(2) (क) इस आवेदन के उपांध-1 में दिए गए संशिलष्ट अपमार्जक के लिए विनियोगों को संशिलष्ट अपमार्जक के लिए मानक विनियोगों के रूप में मान्यता देना या

(ब) उन विनियोगों को मान्यता देना जो कि ऐसा तथा नियोत-कर्ता के मध्य तय हुए करार के अनुसार निर्यात संविदा में कुचिंठ प्रभालक के लिए विए जा सकते हैं वातें कि ऐसे विनियोग उक्त उपांध-1 में दिए गए विनियोगों से निकल न हो जाए।

(3) इस आवेदन के उपांध-II में दिए गए संशिलष्ट अपमार्जक के नियोत (निरीक्षण नियम, 1977 के प्राप्त के अनुसार निरीक्षण के प्रकार को निरीक्षण के ऐसे प्रकार के रूप में विविचित करना जो कि ऐसे संशिलष्ट अपमार्जक पर लागू होंगा:

(4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे संशिलष्ट अपमार्जक के नियोत का तब तक प्रतिषेध करना जब तक कि उसके साथ नियोत (क्वालिटी नियन्त्रण और निरीक्षण (नियम, 1963 (1963 का 22) की धारा 7 के अधीन केन्द्रीय सरकार द्वारा स्थापित अधिकारण द्वारा दिया गया इस आवश्यक का प्रमाणपत्र न हो कि संशिलष्ट अपमार्जक मानक विनियोगों के प्राप्त हो।

3. इस आवेदन की कोई भी बात भावी क्रेताओं से निश्चिलष्ट अपमार्जक (1 कि० ग्रा० से अधिक) के नमूनों के भू मार्ग, समृद्ध या वायु मार्ग द्वारा निर्यात पर लागू नहीं होगी।

4. इस आवेदन में, ‘संशिलष्ट अपमार्जक’ से घरेलू प्रयोग सवा आवश्यकित प्रयोगों के लिए प्रयुक्त अल्कोहल एवं इन प्रकार का आण्यायोगिक असावृतीय प्रभालक अधिक्रिय है। कार्बनशील प्रभालक अल्कोहल एवं इन सल्फोनिक प्रस्तुल का सोडियम नमक होता है। उत्पादित वस्तुओं के प्रयोग को व्यान में रखते हुए उनके निरूपण में तैयार करने वाले सत्त्वों में से एक या अधिक रखे जा सकते हैं। सामग्री मूक प्रवाही चूरे के रूप में होती तथा कोई प्रतियंगी गंभीर नहीं देती और इसके साथ बनाए गी।

उपांध-1

[पैरा 2 का उप-पैरा (2) विविध]

सारणी : 1 घरेलू प्रयोग के लिए संशिलष्ट अपमार्जक के लिए अपेक्षाएँ—

क्रम सं०	विविधपत्राएँ	अपेक्षा
1	2	3
1.	भारतीय साधा वाणियालील पदार्थ के घ्रास 105° से० पर, भार के आधार पर प्रतिशत, अधिकतम	15
2.	कार्बनशील धंस, भार के आधार पर प्रतिशत, न्यूनतम	18
3.	भल्कोहल में धधुलनशील पदार्थ, भार के आधार पर प्रतिशत, अधिकतम	70
4.	फासफेट (सोडियम डाइफोस्फिक फासफेट के रूप में ‘प्रस्तुत’) भल्कोहल में धधुलनशील पदार्थ के भार के आधार पर प्रतिशत न्यूनतम	40
5.	1 प्रतिशत धोल (इल्क्यू/बी) का हाईड्रोजन ग्रायोन सांचित चूर्ण (पी एच), 30° से० पर	9-11
6.	अप्रभालक कार्बनिक पदार्थ भार के आधार पर प्रतिशत अधिकतम	1-0

1	2	3	
पानी में अधुलनगीन पदार्थ भार के आधार पर प्रतिशत			
अधिकतम	0 = 5		
मार्गी : 2-उद्योगिक प्रयोजनों के लिए सिंगलट अपमार्जक के लिए अपेक्षाओं			
अम	विशेषताएँ	अपेक्षाएँ	
ग०			
	प्रकार	प्रकार	
	(1)	(2)	(3)
1. 105 ² में पर आईना तथा आष्टपीन पदार्थ के आधार पर प्रतिशत,			
अधिकतम	8	—	—
2. कार्बोरेल संयं भार के आधार पर 40 प्रतिशत, न्यूतन	40	30	20
3. अहुकोड़त में अधुलनगीन पदार्थ भार के आधार पर प्रतिशत अधिकतम	50	10	5
4. स्पष्ट बिन्हु से ० अधिकतम	—	—	10
5. 1 प्रतिशत धोत (छड़ग्य/धी) का हाइड्रोजन आयोग सान्द्रित चूर्ण (प०० ग्र०), 30 ग्र० पर 7 से 9 7 से 9 6 से 8			
6. अप्रक्षलक कार्बोरेल पदार्थ भार के आधार पर प्रतिशत अधिकतम	1 0	0.75	0.5
7. पानी में अधुलनगीन पदार्थ भार के आधार पर प्रातिश. 1, अधिकतम	0.5	0.5	शून्य

उपांध-II

[विना २ का उपन्यैरा (3) देखिए]

नियति (क्वालिटी नियंत्रण और नियोजन) अधिनियम, 1963 (1963 का 22) की धारा 17 के अधीन बनाए जाने के लिए प्रस्तावित नियमों का प्रारूप।

1. संक्षिप्त नाम तथा प्राप्ति—(1) इन नियमों का नाम सिंगलट अपमार्जक का नियन्ति (नियोजन नियम, 1977) है।

2. परिभासा—इन नियमों में जब गक कि स्वर्द्ध से, अन्यथा अपेक्षित न हो;

(क) 'अधिनियम' वे नियति (क्वालिटी नियंत्रण और नियोजन) अधिनियम, 1963 (1963 का 22) अनुचित है,

(ख) 'अधिकरण' भे अधिनियम की धारा 7 के अधीन कोर्टीन, मद्रास, कलकत्ता, मुम्बई, तथा दिल्ली में स्थापित अधिकरणों में से कोई एवं अनिवार्य है।

(ग) 'सिंगलट अपमार्जक' से घरेलू प्रयोग तथा आवृद्धिक कार्यों के लिए प्रयुक्त मस्कनी प्रयोग प्रकार का व्युत्पादन जा गयी अपमार्जक अनुमति है। कार्बोरेल अपमार्जक अहल्ली एवं सिकाक्सनिक अम्ल का सोडियम नायक गा। उत्ताक्त्र वस्तुओं के प्रयोग को ध्यान में रखते हुए उनके स्वरूप में गोरीन तैयार करने तथा तथ्यों में से एक दो अधिक रद्द जा सकत है सामग्री मुक्त छर्चे वे रूप में होंगी तथा कोई अधिक गश नहीं दियी और अच्छे ज्ञाय बनाएँगी।

3. नियोजन का आधार—नियन्ति जाने वाले सिंगलट अपमार्जक का नियोजन इस दृष्टि से किया गया है कि सिंगलट अपमार्जक नियन्ति (क्वालिटी नियंत्रण और नियोजन) अधिनियम, 1963 (1963 का 22) की धारा 6 के अधीन केन्द्रीय भरकर द्वारा मात्र प्राप्त नियंत्रण के अनुरूप है।

4. नियोजन की प्रक्रिया—(1) सिंगलट अपमार्जक के नियन्ति बनने वाले दृष्टि नियति-हर्ता अपने गवर्नर के आगद की सूचना नियोजन रूप में संबंधित अधिकरण को देगा और ऐसी सूचना के माध्यम नियति भवित्वा गा आवेदन की एक प्रति अधिकरण के पात्र ही के कार्यान्वय को देगा जिसमें फि वह नियम 3 के अनुसार नियोजन कर सके।

(2) उपनियम (1) के अधीन प्रत्येक सूचना पात्र लक्षण की प्रस्तावित तरीका गे कम से कम गात दिन के पहले दो जाएगी।

(3) उपनियम (2) के अनुकूल सूचना प्राप्त होने पर अधिकरण नियम 3 वाले केन्द्रीय भरकर द्वारा लगय-नमय पर जारी किए गए निर्देशों के अनुसार नियोजन करेगा।

(4) यदि नियोजन के पश्चात् अधिकरण आना गया तभी तात्परा कर निया है कि नियति दिया जाने वाला सिंगलट अपमार्जक का पारेषण, नियम 1 की अपेक्षाओं के अनुरूप है तो वह उपनियम (2) के अधीन सूचना गात होने के मात्र दिनों के भीतर नियति-कर्ता को यह घोषणा करते हुए प्रमाण-पत्र दे देगा फि परेषण नियोजन-योग्य है।

परन्तु जहा परिदारण पा इस प्रकार का समाधान नहीं हो यहां वह उक्त सात दिनों के अधिकरण के भीतर ऐसा प्रमाण-पत्र देने से इकार कर देगा और ऐसे इकार की सूचना कारणों सहित नियति-कर्ता का देगा।

5. नियोजन का रथान—इन नियमों के अधीन प्रत्येक नियोजन गा तो (क) ऐसे उत्ताप के विनियोजन के परिमार के या (ख) उस परिमार में किया जाएगा जहां नियति-हर्ता द्वारा भाल प्रस्तुत किया गया है बताते कि इन प्रयोजन के लिए पर्याप्त सुविधाएँ वहां विद्यमान हो।

6. नियोजन शुल्क—प्रत्येक परेषण के लिए पोत पर्याप्त नियुक्त मूल्य के प्रति एक सौ रुपए के लिए पराम वेसे की दर से कांस में दी जाएगी। यह कांस कम से कम फत्ता रुपए होगी।

7. अपीन—नियम 4 के उपनियम (4) के पर्याप्त प्रमाण-पत्र देने के इकार में अधिन तो व्यक्ति उसके द्वारा ऐसे इकार की सूचना प्राप्त होने के दस दिनों के भीतर इन प्रयोजन के लिए केन्द्रीय भरकर द्वारा नियुक्त स्थानम तीन और अधिकरण सात अक्तियों के विशेषज्ञों के पैनल को अधीन कर सकता है।

(2) विशेषज्ञों के पैनल की फूल गदम्यना का वर्ष से कम दो-मिहाई रेग-मरतारी सदृशी का होगा।

(3) पैनल की गणपति नीन की होगी।

(4) अपीन उसके प्राप्त होने के 15 दिनों के भीतर विशेषज्ञों के पैनल द्वारा नियोजन की जाएगी।

[पं० ६(२८), ७८-नियन्ति तथा श० सं०]

ORDRFR

SO 1918.—Whereas, in exercise of the powers conferred by Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government is of opinion that it is necessary and expedient so to do for the development of the export trade of India that Synthetic Detergents should be subject to inspection prior to export;

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposal for the information of the public. Let it be affected thereby.

2. Notice is hereby given that any person desiring to forward any objection or suggestion with respect to the said proposals may forward the same within forty five days of

the date of publication of this order in the Official Gazette to the Export Inspection Council, "World Trade Centre", 14/1B, Ezra Street, (7th Floor), Calcutta-1.

PROPOSALS

(1) To notify that Synthetic Detergents shall be subject to inspection prior to export;

(2) To recognise—

(a) the specification for Synthetic Detergents as set out in Annexure-I to this order as the standard specifications for Synthetic Detergents, or

(b) the specifications which may be stipulated for Synthetic Detergents in the export contract as agreed between the buyer and the exporter provided that such specifications do not fall below the specifications set out in the said Annexure-I.

(3) To specify the type of inspection in accordance with the draft Export of Synthetic Detergents (Inspection) Rules, 1977 set out in Annexure-II to this order as the type of inspection which would be applied to such Synthetic Detergents;

(4) To prohibit the export, in the course of international trade of such Synthetic Detergents unless the same is accompanied by a certificate issued by an agency established by the Central Govt. under section 7 of the Export (Quality Control & Inspection) Act, 1963 (22 of 1963) to the effect that the Synthetic Detergents conform to the aforesaid standard specifications.

3. Nothing in this order shall apply to the export by land, sea or air of samples of Synthetic Detergents (Not exceeding 1 kg.) to the prospective buyers.

4. In this order "Synthetic Detergents" shall mean 'Anionic Non-soapy detergents of the alkyl aryl type' used for household use and industrial purposes. The active ingredient shall be the sodium salt of alkyl aryl sylphonate acid. The formulation may contain one or more of the builders of additives keeping in view of the end use of the product. The material shall be a free flowing powder, shall not give any unpleasant odour and shall give good lather.

ANNEXURE-I

[See sub-paragraph (2) of Paragraph 2]

Table : 1—Requirements for Synthetic Detergents for household use

Sl. No.	Characteristic	Requirement
1.	Moisture and volatile matter content at 105°C, percent by weight, Max	15
2.	Active ingredient, percent by weight Min.	18
3.	Matter insoluble in alcohol, percent by weight, Max	70
4.	Phosphates (expressed as sodium tripolyphosphate), percent by weight of matter insoluble in alcohol, Min	40
5.	Hydrogen ion concentration (PH) of 1 percent solution (w/v), at 30°C	9-11
6.	Non-detergent organic matter, percent by weight, Max	1-0
7.	Matter insoluble in water, percent by weight, Max	0.5

Table 2 : Requirements for Synthetic Detergent for industrial purposes

Sl. No.	Characteristic	Requirements		
		Type(1)	Type(2)	Type(3)
1.	Moisture and volatile matter content at 105°C, percent by weight, Max	8
2.	Active ingredient, 40 percent by weight, Min	40	30	20
3.	Matter insoluble in alcohol, percent by weight, Max	50	10	5
4.	Clear point °C, Max	10
5.	Hydrogenion concentration, PH of 1 percent solution (w/v) at 30°C	7 to 9	7 to 9	6 to 8
6.	Non-detergent organic matter, percent by weight, Max	1.0	0.75	0.5
7.	Matter insoluble in water, percent by weight, Max	0.5	0.5	Nil

ANNEXURE-II

[See sub-paragraph (3) of paragraph 2]

Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

1. Short title and commencement.—(1) These rules may be called the Export of Synthetic Detergent (Inspection) Rules, 1977.

2. Definition.—In these rules, unless the context otherwise requires,

(a) "Act" means the Export (Quality Control & Inspection) Act, 1963 (22 of 1963);

(b) "agency" means any one of the agencies established under section 7 of the Act at Cochin, Madras, Calcutta, Bombay and Delhi;

(c) "Synthetic Detergent" means Anionic non-soapy detergents of the alkyl aryl type, used for Household use and Industrial purposes. The active ingredient shall be the sodium salt of alkyl aryl sulphonic acid. The formulation may contain one or more of the builders of additives keeping in view of the end use of the product. The material shall be a free flowing powder, shall not give any unpleasant odour and shall give good lather.

3. Basis of Inspection.—Inspection of Synthetic Detergents for export shall be carried out with a view to seeing that the Synthetic Detergents conform to the specifications recognised by the Central Govt. under Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

4. Procedure of Inspection.—(1) The exporter intending to export Synthetic Detergents shall give intimation in writing of his intention so to do to the concerned agency and submit alongwith such intimation a copy of the Export Contract or order to the nearest office of the Agency to enable it to carry out inspection in accordance with rule 3.

(2) Every intimation under sub-rule (1) shall be given not less than 7 days before the expected date of shipment.

(3) On receipt of the intimation under sub-rule (2) the agency shall carry out the inspection in accordance with rule 3 and the Instructions issued by the Council from time to time.

(4) If after the inspection, the agency is satisfied that the consignment of Synthetic Detergent meant for export complies with the requirements of rule 3, it shall, within seven days of the receipt of the intimation under sub-rule (2) issue a certificate to the exporter declaring the consignment as export-worthy.

Provided that where the agency is not so satisfied it shall, within the said period of seven days refuse to issue such certificate and communicate such refusal to the exporter along-with the reasons therefor.

5. Place of Inspection.—Every inspection under these rules shall be carried out either (a) at the premises of the manufacturer of such product; or (b) at the premises at which the goods are offered by the exporter provided adequate facilities for the purpose exist therein.

6. Inspection Fee.—Subject to minimum of Rs. 50 for each consignment, a fee at the rate of fifty paise for every one hundred rupees of the F.O.B. value for each such consignment shall be paid as inspection fee.

7. Appeal.—(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (4) of rule 4, may, within ten days of the receipt of communication of such refusal by him prefer an appeal to such panel of experts consisting of not less than three but not more than seven persons as may be constituted by the Central Government for the purpose.

(2) The panel of experts shall consist of at least two-third of non-officials of the total membership of the panel of experts.

(3) The quorum for the panel of experts shall be three.

(4) The appeal shall be disposed of by the panel of experts within fifteen days of its receipt.

[No. 6(28)/76-EI & FP]

आदेश

कांग आ० 1019—नियर्ति (क्षालिटी नियक्षण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार की यह राय है कि भारत के नियर्ति अधिकार के विवाद के लिए यह आवश्यक तथा समीचीत है कि प्रसाधन के लिए साबून नियर्ति से पूर्व क्षालिटी नियक्षण और निरीक्षण के अधीन किया जाएः।

और केन्द्रीय सरकार ने उक्त प्रयोग के लिए नीचे विनिविष्ट प्रस्ताव बनाया है और उन्हें नियर्ति (क्षालिटी नियक्षण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) द्वारा यथा-प्रपेक्षित के अनुसार नियर्ति निरीक्षण परियोग को भेज दिया है।

और उक्त उप-नियम के अनुसार से केन्द्रीय सरकार उन सभी संघों की जिनके उनसे प्रभावित होने की सम्भावना है जोनकारी के लिए उक्त प्रस्तावों को प्रकाशित करती है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में कोई आधेप तथा सुझाव देने की ओँछा बरने वाला अस्ति उमे इन धारियों के राजपत्र में प्रकाशन की तारीख में भैकालीग दिनों के भीतर नियर्ति निरीक्षण परियोग, 'वॉई ट्रेड सेन्टर', 14/1-वी, एक्सर रोड, (मानवी मजिस), कलकत्ता-1 को भेज भकेगा।

प्रस्ताव

(1) भविसूचित करना कि प्रसाधन के लिए साबून नियर्ति से पूर्व निरीक्षण के अधीन हो।

(2) (क) इस आदेश के उपांत्त-III में प्रसाधन के साबून के लिए गां विनिर्देशों की प्रसाधन के साबून के लिए मानक विनिर्देशों के रूप में मान्यता देना।

(ख) केन्ता साथ नियर्ति-कर्ता के मध्य तथा हुए के अनुसार नियर्ति मधिदा में दिए गए प्रसाधन के साबून के लिए विनिर्देशों को मान्यता देना परन्तु यह तथा जब ऐसे विनिर्देश उक्त उपांत्त-III में दिए गए विनिर्देशों में निम्न स हो।

(3) इस आदेश के उपांत्त-II में दिए गए प्रसाधन के साबून के लिए नियर्ति (निरीक्षण) नियम, 1976 के प्रारूप के अनुगाम नियर्ति के प्रकार को निरीक्षण के ऐसे प्रकार के रूप में विनिविष्ट करना जो कि ऐसे प्रसाधन के साबून पर लागू होगा।

(4) अन्तर्राष्ट्रीय अधिकार के द्वारा ऐसे प्रसाधन के लिए साबून का नव तक प्रतिषेध करना जब तक कि उसके साथ नियर्ति (क्षालिटी नियक्षण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अन्तर्गत केन्द्रीय सरकार द्वारा स्थापित अधिकारण द्वारा दिया गया इस आदेश का प्रमाण-पत्र न हो कि प्रसाधन के लिए साबून उक्त मानक विनिर्देशों के अनुकूल है।

3. इस आदेश की कोई भी बात भावी केन्द्रों को प्रसाधन के लिए साबून (1 किंवा 20) से अनधिक) के नमूनों के भू०, समुद्र या वायु मार्ग द्वारा नियर्ति पर लागू नहीं होगी।

4. इस आदेश में 'प्रसाधन के लिए साबून' से पूरी तरह साबूनीकृत मशीन से तैयार किया हुआ या सफेद या रंगीन दोनों प्रकार का समान आकार का जो सुरक्षित तथा पक्की चिकनी टिक्की के रूप में तैयार किया गया हो प्रसाधन के लिए साबून प्रभित्रै है जिसमें अच्छी सकाई तथा ज्ञान देने वाली विषेषताएँ होंगी। सुरक्षित तथा आद्वैत के अतिरिक्त प्रसाधन के लिए साबून में रसीन पदार्थ, संरक्षक, औषधियाँ, अतिक्षामय पदार्थ तथा ऐसे अतिरिक्त पदार्थ हो सकते हैं जो कि लेबल पर घोषित किए गए हों। साबून के साथ प्रयोग करने से प्रयुक्त सभी सामग्री हानि-हित होगी।

उपांत्त—I

[पैरा 2 का उप-पैरा (2) देखिए]

क्रम सं	विवेषणाएँ	प्रपेक्षण
1	कुल वसा पदार्थ, भाक्ता के आधार पर न्यूनतम . . .	76 0
2	रोजिन प्राप्ति, कुल वसा पदार्थ की प्रतिशत मात्रा अधिकतम . . .	3 0
3	प्रसाधनीकृत वसा पदार्थ, मात्रा के आधार पर अधिकतम . . .	0 . 5
4	मोडियम आर्ड्डोक्लाहड (एन ए औ एच) की तरह मुक्त मात्रा के आधार पर प्रतिशत, अधिकतम . . .	0 . 05
5	प्रल्कोहल में घुलनशील पदार्थ, मात्रा के आधार पर प्रतिशत अधिकतम . . .	2 . 5

उपांत्त—II

[पैरा 2 का उप-पैरा (3) देखिए]

नियर्ति (क्षालिटी नियक्षण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 के अन्तर्गत अनाए जाने के लिए प्रस्तावित नियमों का प्रारूप।

1. संक्षिप्त नाम तथा प्रारूप—(1) इन नियमों का नाम प्रसाधन के लिए साबून का नियर्ति (निरीक्षण) नियम, 1976 है।

2. अधिकारा—इन नियमों में जब तक कि संदर्भ में, अन्यथा प्रोत्तिवाच हो—

(अ) 'अभिनियम' ने नियति (स्थानिटी नियंत्रण और निरीक्षण) संधिनियम 1963 (1963 का 22) अधिग्रेत्र है।

(ब) 'अभिकरण' ने अधिनियम की धारा 7 के अन्तर्गत कोनोन, मझा, कवराता, मुम्प्रई तथा प्रिली में व्यापित अभिकरणों में से कोई एक अभिग्रेत्र है।

(ग) 'प्रसाधन' के निया भाबुन' से पूरी तरह गाबुनीफून, गणीन में नैगार किया हुआ या सफेद या रंगीन दोनों प्रकार का सामान आकार का मुग्धित तथा पकड़ी विकली टिक्की के अप से दबाया हुआ प्रसाधन के लिए साबुन अभिग्रेत्र है तिरामे बच्छों सफाई तथा धारा देने वाली विशेषताएँ होती हैं। सुधंथ तथा आदेता के अनिस्ति प्रसाधन के लिए साबुन में ग्नीज गजार्थ, सरक्का, अनियमामय पदार्थ तथा ऐसे प्रतिरिक्त पदार्थ हो सकते हैं जो कि नेबल पर ओपिन किए गए हैं। साबुन के माथ प्रयोग करने में प्रयुक्त सभी गामग्री हासि रहित होती है।

3. निरीक्षण का आधार—नियति किया जाने वाला प्रसाधन के लिए साबुन का निरीक्षण यह देखने के लिए किया जाएगा जि प्रसाधन के लिए साबुन अधिनियम की धारा 6 के अन्तर्गत वेन्ड्रीय मरकार हारा मान्य विनियोगों के अनुरूप है।

4. निरीक्षण की प्रक्रिया—(1) प्रसाधन के लिए साबुन या नियति करने का इच्छुक नियति-कर्ता अपने ऐसा करने के आधार की सूचना लिखित रूप में गम्बधित अभिकरण को देगा और ऐसी सूचना के माय नियति संविदः या आदेश की एक प्रति अभिकरण के निकटनम कार्यालय का देगा ताकि वह नियम 3 के अनुसार निरीक्षण नर सके।

(2) उप-नियम (1) के अन्तर्गत प्रत्येक सूचना पोग-मदान की मानित तारीख से कम-से-कम मात्र दिन पहले दी जाएगी।

(3) उप-नियम (2) के अन्तर्गत प्रत्येक सूचना प्राप्त होने पर अभिकरण नियम 3 तथा परिषद् हारा मामय-ममय पर जारी किए गए नियंत्रणों के अनुसार निरीक्षण करेगा।

(4) निरीक्षण के पश्चात् यदि अभिकरण का यह समाधान हो जाना है कि नियति के निया बनाया गया प्रसाधन के लिए साबुन का प्रयोग नियम 3 की अपेक्षाओं के अनुरूप है तो वह उप-नियम (2) के अन्तर्गत सूचना प्राप्त होने के मात्र दिनों के भीतर यह धारणा करने हुए, नियति-कर्ता को प्रमाण-पत्र दे देगा कि प्रयोग नियति योग्य है:

परन्तु जहा अभिकरण वा इन प्रकार गमाधान नहीं होता वहा वह उक्त माम विना की इच्छि के भीतर ऐसा प्रमाण-पत्र देने से इकार कर देगा तथा ऐसे इकार की सूचना कारणों सहित नियंत्र-कर्ता को देगा।

5. निरीक्षण का आनन्द—इन नियमों के अन्तर्गत प्रत्येक निरीक्षण मा तो (क) ऐसे उन्नाव के विनियोग के परिमार पर या (ख) उस परिमार पर किया जाएगा जहा नियति-कर्ता तारा मात्र प्रमन्तु फिया गया है परन्तु यह तब तब वह तग प्रयोजन के लिए पर्याप्त गुणाधारण विद्यमान हो।

6. निरीक्षण फोम—प्रत्येक प्रयोग के लिए पोल पर्याप्त मूल्य के प्रत्येक एवं सौ अदान पर चालीम पैसे की दर से निरीक्षण फोम तो जाएगी जो कम-से-कम पचास रुपये होती।

7. अधीक्षण—(1) नियम 4 के उप-नियम (1) के अन्तर्गत अभिकरण हारा प्रमाण-पत्र देने के इकार में व्यक्ति कोई व्यक्ति उसके द्वारा ऐसे इकार की सूचना प्राप्त होने के दस दिनों के भीतर इस प्रयोजन

में नियुक्त केंद्रीय सरकार हारा तिपुक्त, कम-से-कम सीन और अधिक-में-अधिक मात्र व्यक्तियों के विनेष्टों के पैनल को अपील कर सकेगा।

(1) ऐसे पैनल में विनेष्टों की कुल गरम्मना का कम-से-कम दो-विंशाई गैर-भरकारी मद्दस्तों का होता।

(2) पैनल की गण्यता तीन की होती।

(3) अपील प्राप्त होने के पद्धति दिनों के भीतर निपटा दी जाएगी।

[सं 6 (29)/76-नि० ति० सापा नि० ८०]

के० वी० बालनुब्राह्मणियम्, उप-नियंत्रक

ORDER

S.O. 1019—Whereas, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963, (22 of 1963), the Central Government is of opinion that it is necessary and expedient so to do for the development of the Export Trade of India, that toilet soaps should be subject to inspection prior to export :

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964 :

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within forty five days of the date of publication of this order in the Official Gazette to the Export Inspection Council, "World Trade Centre", 14/IB, Ezra Street, (7th floor), Calcutta-1.

Proposals

(1) To notify that toilet soaps shall be subject to inspection prior to export ;

(2) (a) To recognise the specifications for toilet soap as set out in Annexure-I to this order as the standard specification for toilet soaps, (b) The specifications stipulated for toilet soaps in the Export Contract is agreed between the buyer and the exporter provided that such specification do not fall below the specification set out in the said Annexure-I.

(3) To specify the type of inspection in accordance with the draft Export of Toilet Soaps (Inspection) Rules, 1976 set out in Annexure-II to this order as the type of inspection which would be applied to such toilet soaps

(4) To prohibit the export, in the course of international trade of such toilet soaps, unless the same is accompanied by a certificate issued by an agency established by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) to the effect that the toilet soaps conform to the aforesaid standard specifications.

3. Nothing in this order shall apply to the export by land, sea or air of samples of toilet soaps (not exceeding 1 Kg.) to the prospective buyers.

4. In this order "Toilet Soaps" shall mean the toilet soaps, thoroughly saponified milled soap or homogenized soap both white or coloured, perfumed and compressed in the form of firm smooth cake, and shall possess good clearing and lathering properties. In addition to perfume and moisture, toilet soaps may contain only colouring matter preservatives, medicaments, superfatting agents and such additional substances as are declared on the Label. All the materials used shall be non-injurious in use with soap.

Annexure—I

[see sub-paragraphs (2) of Paragraph 2]

Sl. No.	Characteristic	Requirements
1.	Total fatty matter, per cent by mass Min	76.0
2.	Rasin acids, per cent mass of total fatty matter, Max	3.0
3.	Unsaponified fatty matter, per cent by mass, Max	0.5
4.	Free Causticalkali, as sodium hydroxide (NaOH) per cent by mass, Max	0.05
5.	Matter insoluble in alcohol, per cent by Mass, Max	2.5

Annexure—II

[See sub-paragraph (3) of paragraph 2]

Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963)

1. Short title and commencement.—(1) These rules may be called the Export of Toilet Soaps (Inspection) Rules, 1976.

2. Definition.—In these rules, unless the context otherwise requires,

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "agency" means any one of the agencies established under section 7 of the Act at Cochin, Madras, Calcutta, Bombay and Delhi;

(c) "Toilet Soaps" means the toilet soaps thoroughly saponified, milled soap or homogenized soap or both white or coloured, perfume and compressed in the form of firm smooth cakes and shall possess good cleaning and lathering properties. In addition to perfume and moisture, toilet soaps may contain only colouring matter, preservatives, medicaments superfatting agents and such additional substances as are declared on the label. All the materials used shall be non-injurious in use with soap.

3. Basis of Inspection.—Inspection of toilet soaps for export shall be carried out with a view to seeing that the toilet soaps conform to the specifications recognised by the Central Government under section 6 of the Act.

4. Procedure of Inspection.—(1) The exporter intending to export toilet soaps shall give intimation in writing of his intention so to do to the concerned agency and submit along-with such intimation a copy of the Export Contract or order to the nearest office of the agency to enable it to carry out inspection in accordance with rule 3.

(2) Every intimation under sub-rule (1) shall be given not less than 7 days before the expected date of shipment.

(3) On receipt of the intimation under sub-rule (2) the Agency shall carry out the inspection in accordance with rule-3 and instructions issued by the Council from time to time.

(4) If after the inspection, the agency is satisfied that the consignment of toilet soaps meant for export complies with the requirements of rule-3, it shall, within seven days of the receipt of the intimation under sub-rule (2) issue a certificate to the exporter declaring the consignment as exportworthy:

Provided that where the agency is not so satisfied it shall, within the said period of seven days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

5. Place of Inspection.—Every inspection under these rules shall be carried out either (a) at the premises of the manufacturer of such product or (b) at the premises at which the goods are offered by the exporter provided adequate facilities for the purpose exist therein.

6. Inspection Fee.—Subject to a minimum of Rs. 50 for each consignment a fee at the rate of forty paise for every one hundred rupees of the F.O.B. value for each such consignment shall be paid as inspection fee.

7. Appeal.—(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (4) of rule 4, may within ten days of the receipt of communication of such refusal by him, prefer an appeal to such panel of experts consisting of not less than three but not more than seven persons as may be constituted by the Central Government for the purpose.

(2) The panel of experts shall consist of at least two-third of non-officials of the total membership of the panel of experts.

(3) The quorum for the panel of experts shall be three.

(4) The appeal shall be disposed of by the panel of experts within fifteen days of its receipt.

[No. 6(29)/76-FI & FP]

K. V. BALASUBRAMANIAM, Dy. Director

मुख्य नियंत्रक, प्रायात्-नियंति का कार्यालय

प्रावेश

नई दिल्ली, 15 मार्च, 1977

सा. आ. 1020.—प्रायात्-शोधित प्रायात् (नियंत्रण) प्रावेश 1955 दिनांक 7-12-1955 की धारा 9 द्वारा प्रकृत अधिकारों का प्रयोग करने हुए अधिकारात्मकी दिं इंजीनियरिंग प्रोजेक्ट्स इंडिया) लि० एच०ई०सी० धूर्वा गाँधी को 28,800 रुपए के लिए जारी किए गए। प्रायात् लाइसेंस संख्या जी/सी/1416551/सी/एस/58/एच०/41-42/सीजी०-2/एलास०, दिनांक 17-2-1976 की मुद्रा विनियम नियंत्रण प्रति को एनवॉटर रह करने हैं। लाइसेंस की मात्र मुद्रा विनियम नियंत्रण प्रति केवल 549.68 रुपए मात्र के लिए ही उपयोग में लाई गई थी।

लाइसेंस रह करने का कारण यह है कि लाइसेंस की मुद्रा विनियम नियंत्रण प्रति लाइसेंसधारी से खो गई/प्रस्थानमय हो गई है और उन्होंने उम के बदले में उपयोग न की गई गोष धनराशि 28,250.32 रुपए मात्र के लिए अनुनियिप्रति जारी करने के लिए आवेदन किया था।

[संख्या सी०जी०-2/एच०आई०(75)/75-76/2254]

एन० प्रार० शर्मा, उप-मुख्य-नियंत्रक
फूटे मुख्य-नियंत्रक

Office of the Chief Controller of Imports and Exports
ORDER

New Delhi, the 15th March, 1977

S.O. 1020.—In exercise of the powers conferred by clause-9 of the Imports (Control) order, 1955 dated 7-12-1955 as amended, the undersigned hereby cancels the exchange control purposes copy of the licence No. G/C/1416551/C/XX/58/H/41-42/CGII/L.S. dated 17-2-1976 for Rs. 28,800/-

issued to the Engineering Projects (India) Ltd., HFC Dhurba Ranchi. The original Exchange Control purposes copy of the licence was utilised for Rs. 5,49.68 only.

The reasons for the cancellation is that the exchange control purposes copy of the licence has been lost/misplaced by the licensee who had requested for the issue of duplicate licence in lieu thereof for the unutilised balance of Rs. 28,250.32 only.

[No. CGII/H I. (75)/75-76/2254]

N. R. SHARMA, Dy. Chief Controller,
for Chief Controller.

मैं मनुष्ट हूँ कि आयात लाइसेन्स संख्या ०/एम०/२८३७९४/सी०/प्रका०/५८/सी०/४१-४२ के १, २, के १-३ तथा के १. ४, दिनांक २२-३-७६ की सीमा शुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हों गई है तथा निवेदा देता है कि आवेदक को आयात लाइसेन्स के पूर्ण मूल्य १,०७,१७५ रुपए के लिए सीमा शुल्क प्रयोजन प्रति की अनुलिपि जारी की जाती चाहिए। उपर्युक्त आयात लाइसेन्स की सीमा शुल्क प्रयोजन प्रति जो कि १,०७,१७५ रुपए की घनराशि के लिए है, एतद्वारा रद्द की जाती है।

[संख्या ई० एम० पी०/उच्चाय० कारपेट-
२९/७४३५५-एल०/२३/ज०-एम० २५/५/१६३५]
एम० क० मण्डल, उप-मुख्य नियंत्रक

Office of the Jt. Chief Controller of Imports & Exports

ORDER

Calcutta, the 6th January, 1977

S.O. 1021.—The State Trading Corporation of India Ltd., Chandralok, 36, Janpath, New Delhi was issued an import licence for the period July,—September, 1975 as under with a letter of authority in favour of M/s. Badyan Brahman Paints Production Co-operative Industrial Society Ltd., Bhiwani (Haryana).

Licence NO. and Date.	Description.	Value
P/M/2783794/C/XX/58/C 1 4 41-42/K-1, 2, K 1. 3 & K 1. 4	(i) D.M.T.Di-Methyle 1. Trehallate B. (ii) Cresylate Acid (iii) Propylene Gly- col and (iv) citric Acid (Tec- Grade) upto Rs. 10, 717/- as per condition on letter of authority.	Rs. 1, 07, 175 (Rupees one Lakh seven hundred and seventyfive only).

The nominee firm vis-a-vis letter of authority holder M/s. Badyan Brahman Paints Production Co-operative Industrial Society Ltd., Bhiwani (Haryana) applied for duplicate Customs Purpose copy of the above import licence for the full value of Rs. 1,07,175 since they have confirmed that the Customs purposes copy of the above licence has been lost having been registered with Customs House, Calcutta and unutilised. The total amount for which the original copy was issued is Rs. 1,07,175 and the original copy was unutilised in full. The duplicate Customs Purposes copy now required for clearance of goods against July,—September, 1975 period's licence.

In support of this contention the applicant has filed an affidavit on a stamped paper duly attested by Metropolitan Magistrate, Calcutta.

I am satisfied that the Customs purposes copy of import licence No. P/M/2783794/C/XX/58/C/41-42/K-1, 2, K, 1. 3 & K. 1. 4 dated 22-3-76 has been lost/misplaced and direct that the duplicate Customs purposes copy of the import licence for the full value of Rs. 1,07,175 should be issued to the applicant. The Customs Purposes copy of the above import licence is for the amount of Rs. 1,07,175 which is hereby cancelled.

[No. Rexp/W. Carpet-29/743554-L/23/J-S'75/V/1635]
S. K. MANDAL, Dy. Chief Controller

संघर्ष मुख्य नियंत्रक आयात-नियंत्रण का कारबिय

आवेदन

कलकत्ता, 6 जनवरी, 1977

का० आ० 1021.—सर्वेश्वी बड़ियान ब्रह्मनन पेट्स प्रोडक्शन कौथार-रेटिव इन्डस्ट्रियल सोसायटी लि० भिवानी (हरियाणा) के नाम से प्राधिकार पत्र के साथ गज्ज व्यापार निगम लि० चन्द्रलोक ३६-जनपथ, नई दिल्ली को जुलाई—सितम्बर, १९७५ अवधि के लिए निम्नलिखित अनुमार एक आयात लाइसेन्स प्रदान किया गया था।—

लाइसेन्स संख्या	विवरण	मूल्य
नाम विनांक		
पी/एम०/२८३७९४/सी०/प्रका०/५८/सी०/४१-४२/के-१.३ तथा के-१.४	(i) ई० एम० टी० लेट (ii) ऐसि- निक एसिड (iii) प्रोपलीन ग्लाइकोल और (iv) प्राधिकार पत्र की शर्त के अनुमार १०,७१७ रुपए तक मिट्रिक एसिड (तकनीशी प्रेट)।	१,०७,१७५ रुपए

प्राधिकार पत्र धारक अर्थात् नामांकित कर्म सर्वेश्वी बड़ियान ब्रह्मनन पेट्स प्रोडक्शन कोआपरेटिव इन्डस्ट्रियल सोसायटी लि० भिवानी (हरियाणा) ने उपर्युक्त आयात लाइसेन्स की सीमा शुल्क प्रयोजन प्रति की अनुलिपि के लिए पूर्ण मूल्य १,०७,१७५ रुपए के लिए आवेदन किया है जबकि इन्हें इस बात की पुष्टि की है कि उक्त लाइसेन्स की सीमा शुल्क प्रयोजन प्रति सीमा शुल्क कारबिय, कलकत्ता में पंजीकृत कराने के पश्चात् खो गई है और उपर्योग में नहीं आई गई है। कुल घनराशि जिसके लिए मूल प्रति जारी की गई थी १,०७,१७५ रुपए है और मूल प्रति पूर्ण रूप से उपयोग में नहीं साई गई थी। अब जुलाई—सितम्बर, १९७५ अवधि के लाइसेन्स के मद्दे मात्र की निकासी के लिए सीमा शुल्क प्रयोजन प्रति की अनुलिपि प्रति की आवश्यकता है।

इस तर्क के समर्थन में आवेदक ने महानगरीय सैविसेट कलकत्ता, के समक्ष विश्वित साध्यांकित स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है।

नगरिक पूति तथा सहकारिता भवालय

भारतीय मानक संस्था

नई दिल्ली, 1977-03-15

का० आ० 1022 :—समय-समय पर संशोधित भारतीय मानक सम्मा (प्रमाणन विहृ) विनियम 14 के उपनियम (4) के अनुसार भारतीय मानक सम्मा द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सीएम/एल-3334 जिसके ब्यारे नीचे अनुसूची में दिए गए हैं, फर्म के प्रपत्रे अनुशोध पर 1976-09-01 से रद्द कर दिया गया है।

अनुसूची

फ्रम संख्या	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्कालीन भारतीय मानक
1. सीएम/एल-3334 1973-02-22		मर्वशी शारदा प्लाईवुड इंडस्ट्रीज लकड़ी के समतल कपाट (ठोस मध्य प्रा० लिऊ जैपुर रोड, जैपुर (असम)) भाग बाले) ऊपर प्लाईवुड लगे हनका कार्यालय ९ पारमी चर्च सार्का 'द्युरोज्ञाई' स्ट्रीट कलकत्ता-१ में है।	IS: 2202 (भाग I)-1973 कपाट (ठोस मध्य भाग बाले) की विणिष्ठ भाग I ऊपर प्लाईवुड लगे (दूसरा पुनरीक्षण)।	

[सीएमडी/55.3334]

MINISTRY OF CIVIL SUPPLIES & CO-OPERATION
INDIAN STANDARDS INSTITUTION
New Delhi, 1977-03-15

S. O. 1022—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L 3334 particulars of which are given below has been cancelled with effect from 1976-09-01 at the request of the firm.

Sl. No.	License No. and Date	Name & Address of the Licensee	Article/Process Governed by the Licensee Cancelled	Relevant Indian Standard
(1)	(2)	(3)	(4)	(5)
	CM/L-3334 1973-02-22	M/s Sarda Plywood Industries (P) Ltd, Jeypore Road, Jaypore (Assam) having their office at 9, Parsee Church Street Calcutta-I.	Wooden flush door shutters (solid core type), with plywood face Panels Brand : 'DUROPLY'	IS : 2202 (Part I)- 1973 Specification for wooden flush door shutters (solid core type)— Part I Plywood face panels (Second Revision)

[CMD/55 : 3334]

का० आ० 1023.—समय-समय पर संशोधित भारतीय मानक सम्मा (प्रमाणन विहृ) विनियम 1955 के विनियम 14 के उपनियम (4) के अनुसार भारतीय मानक सम्मा द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सीएम/एल-3963 जिसके ब्यारे नीचे अनुसूची में दिए गए हैं, फर्म द्वारा प्रपत्रा नाम बदल देने के कारण 1976-11-16 में रद्द कर दिया गया है।

अनुसूची

फ्रम संख्या	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्कालीन भारतीय मानक
(1)	(2)	(3)	(4)	(5)
	सीएम/एल-3963 1974-09-24	मर्वशी असम वेनियर एण्ड मा मिल्स चाय की पेटियों के लिए प्लाईवुड डाकघर लीझे, जिला डिब्रुगढ़, असम इनका कार्यालय ६७/२१ स्ट्रीट रोड, कलकत्ता-६ में है।	के ताले मार्का 'एवीएमएम'	IS : 10-1970 चाय की पेटियों के लिए प्लाईवुड की विणिष्ठ (सीएम पुनरीक्षण)।

[सीएमडी/55 : 3963]
ए०वी० राव, उपमहानिदेशक

S. O. 1023—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution here by notifies that Licence No. CM/L-3963 particulars of which are given below has been cancelled with effect from 1976-11-16 due to change in the name of the firm.

Sl. Licence No. and Date No.	Name & Address of the Licensee	Article/Process Governed by the Licensees Cancelled	Relevant Indian Standard	
(1)	(2)	(3)	(4)	(5)
CM/L-3963 1974-09-24	M/s Assam Veneer & Saw Mills P.O. Ledo, Distt. Dibrugarh (Assam) having their office at 67/21, Strand Road Calcutta-6	Tea-chest Plywood Panels Brand : 'AVSM'	IS : 10-1970 Specification for Plywood Tea-chests (Third Revision)	[CMD/55 : 3963] A. B. RAO, Dy. Dir. Gen.l

नई दिल्ली, 17 मार्च, 1977

का. आ. 1024.—केन्द्रीय सरकार, भारतीय मानक संस्था (प्रमाणन चिन्ह) नियम, 1955 के नियम 13 के साथ पीठ भारतीय मानक संस्था (प्रमाणन चिन्ह) अधीनियम, 1952 (1952 का 36) की धारा 10 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, भारतीय मानक संस्था से पारमर्श करते, यह निवेश दर्ती है कि उक्त अधीनियम की धारा 3 के खण्ड (4) के अधीन उक्त संस्था द्वारा प्रयोग की जाने वाली चिन्हों शक्तियों का प्रयोग, बोकारो स्टील लिमिटेड. बोकारो द्वारा विनिर्मित इस्पास की बाबत, उप मध्यानिवेशक (निरीक्षण), पूर्ति और व्यवन मध्यानिवेशालय, पूर्ति और पुनर्वास मंत्रालय द्वारा भी किया जायेगा।

[का. स. 1(9)/भा.मा.स./76]

कि. एन. जयसिंह, संयुक्त सचिव।

New Delhi, the 17th March, 1977

S.O. 1024.—In exercise of the powers conferred by sub-section (1) of section 10 of the Indian Standards Institution (Certification marks) Act, 1952 (36 of 1952), read with rule 13 of the Indian Standards Institution (Certification Marks) Rules 1955, the Central Government, in consultation with the Indian Standards Institution, hereby directs that any powers exercisable by the said Institution under clause (e) of section 3 of the said Act, shall be exercisable also by the Deputy Director-General (Inspection), Directorate General of Supplies and Disposals, Ministry of Supply and Rehabilitation, in respect of steel manufactured by the Bokaro Steel Limited Bokaro.

[File No. 1(9)ISI/76]

B. N. JAYASIMHA, Jt. Secy.

नई दिल्ली, 18 मार्च, 1977

का. आ. 1025.—अधिक संविदा (विनियमन) अधीनियम, 1952 (1952 का 74) की धारा 3 की उप धारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा नागरिक पूर्ति और सहकारिता मंत्रालय में भारत सरकार के संयुक्त सचिव, श्री टी. वालकृष्णन को 18 मार्च, 1977 के दोपहर के पहले रो आगे और आदेश होने तक के लिए उनके वर्तमान कार्यभार के साथ-साथ वायदा लाजार आयोग, शम्बाई का सदस्य नियुक्त करती है तथा उक्त आयोग का अध्यक्ष भी नामित करती है।

[मीसिल संघर्षा १-२०११/६६/७६-स्थापना]

बी. एल. गर्ग, अध्यर सचिव

New Delhi, the 18th March, 1977

S.O. 1025.—In exercise of the powers conferred by Sub-Section (2) of Section 3 of Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby appoints Shri T. Balakrishnan, Joint Secretary to the Government of India in the Ministry of Civil Supplies and Cooperation as a Member of the Forward Markets Commission, Bombay, and also nominates him to be chairman of that Commission with effect from the forenoon of 18th March, 1977 in addition to his present duties till further orders.

[File No. A-12011/60/76-Estt.]

B. L. GARG, Under Secy.

(पूर्ति विभाग)

आदेश

नई दिल्ली, 15 मार्च, 1977

का० आ० 1026—कूकि केन्द्रीय सरकार ने मैसर्स भारत इंडस्ट्रीयल्स, घोष्यमपाई, कोल्हीन को दो फिलिंग बोर्डों (मछली मारने की नौकाओं) की समाई करने के लिए वि० 30 सितम्बर, 1970 को ठेका न० ए० ३००-३/२१८/७३/४३५-१०८२/पी०१०० ए० १४०/१४५ दिया था;

श्रीर चूंकि कूकि केन्द्रीय सरकार ने उन नौकाओं का आंशिक रूप से निर्माण किया है और उसके बाद कूकि नौकाओं के निर्माण का काम बन्ध कर दिया है;

श्रीर चूंकि आंशिक रूप से निर्मित नौकाएँ और उनका निर्माण करने के लिए अधिप्राप्त मरीनी तथा सामग्री कूकि भारत इंडस्ट्रीयल्स के आहे में पड़ी हुई हैं;

श्रीर चूंकि कूकि नौकाओं की समाई राष्ट्र के जीवन के लिए आवश्यक है;

इमन्ना, अब, भारत के रक्षा तथा आन्तरिक सुरक्षा नियम, 1971 के नियम 114 के उप-नियम (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है :—

(क) कि कूकि भारत इंडस्ट्रीयल्स केन्द्रीय सरकार की अधिकारी उक्त सरकार द्वारा प्राधिकृत व्यक्ति (इसके आगे इस आदेश में इसे प्राधिकृत व्यक्ति के रूप में निर्दिष्ट किया गया है) को आंशिक रूप से निर्मित नौकाओं तथा ऐसी नौकाओं के निर्माण के लिए अधिप्राप्त मरीनी और सामग्री की सूची नैयार करने के लिए कूकि भारत इंडस्ट्रीयल्स के प्राह्लाद का निरीक्षण करने की अनुमति देंगी।

(क) कथित भारत इंडस्ट्रीयल्स, मार्गे जाने पर केन्द्रीय मरकार अधिकार प्राधिकृत व्यक्ति को खण्ड (क) के अन्तर्गत तैयार की गई सूची में उल्लिखित सामान सौप देती ।

(ग) जहाँ केन्द्रीय मरकार अधिकार प्राधिकृत व्यक्ति की यह राय है कि सूची में उल्लिखित सामान को, उसकी वर्तमान अवस्था में परिवर्तन किये बिना, कथित भारत इंडस्ट्रीयल्स के अहाने से नहीं हटाया जा सकता, वहाँ भारत इंडस्ट्रीयल्स इस प्रारंभ की तारीख से एक वर्ष की प्रबंधि के लिए, अधिकार प्राधिकृत व्यक्ति को, जो तीन वर्ष में अधिक न हो, कथित मरकार अधिकार प्राधिकृत व्यक्ति को, जो भी हो, कथित अहाने में कथित नौकाओं का निर्माण पूरा करने की अनुमति प्रदान करेगी और सभी सुविधाएँ होंगी ।

[मंज्या एम० बी० -3/218/73/435-1082/
पी०ए०ए०एम०/145]
प्रार० तिरुमलै, मन्त्रिव

DEPARTMENT OF SUPPLY ORDER

New Delhi, the 15th March, 1977

S.O. 1026.—Whereas the Central Government entered into a contract No. SV-3/218/73/435-1082/PAOM/145 dated the 30th September, 1970 with Messrs Bharat Industrials, Thoppumpady, Cochin-5 for the supply of two fishing Boats;

And whereas the said Bharat Industrials has partially built the boats and thereafter stopped the construction of the said boats;

And whereas the Central Government has cancelled on the 21st February, 1976 the contract at the risk and cost of the said Bharat Industrials;

And whereas the said partially built boats and the machinery and materials procured for their construction are lying in the premises of the said Bharat Industrials;

And whereas the supply of the said boats is essential to the life of the community;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of the rule 114 of the Defence and Internal Security of India Rules, 1971, the Central Government hereby directs that—

- the said Bharat Industrials shall allow the Central Government or the person authorised by that Government (hereafter in this order referred to as the authorised person) to inspect the premises of the said Bharat Industrials for preparing an inventory list of the partially built boats and the machinery and materials which are procured for the construction of the said boats;
- the said Bharat Industrials shall on demand hand over to the Central Government or to the authorised person the properties mentioned in the inventory list prepared under clause (a);
- Where the Central Government or the authorised person is of opinion that the properties in the inventory list cannot be removed from the premises of the said Bharat Industrials without making changes in its present conditions, the said Bharat Industrials shall, for a period of one year from the date of this order, or within such further period not exceeding three years as may be specified by the Central Government, allow and give all facilities to that Government or the authorised person, as the case may be, for completing the construction of the said boats in the said premises.

[No. SV-3/218/73/435-1082/PAOM/145]

R. TIRUMALAI, Secy.

स्वास्थ्य व परीक्षा विभाजन मंशालय

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 14 मार्च, 1977

का० आ० 1027.—यह भारत मरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 2 फरवरी, 1963 की प्रधिसूचना सं० 16-21/62-एम आई द्वारा केन्द्रीय मरकार ने निर्देश दिया है कि भारतीय चिकित्सा परिषद् प्रधिनियम 1956 (1956 का 102) के प्रयोजनों के लिये मिलानों विश्वविद्यालय, हटली द्वारा की गई 'एम० डी० (मिलानों)' मान्य चिकित्सा प्रश्नाएँ होंगी।

और यह इ० युग्मी एटोनियो जिनके पास उपर्युक्त अर्हता है प्रशिक्षण तथा अनुसंधान कार्य के प्रयोजन के लिये इस समय गंधी अस्पताल, मिकन्दराबाद, आंध्र प्रदेश के साथ सम्बद्ध है।

अतः अब उक्त प्रधिनियम की धारा 14 के परामुक्त के भाग (ग) के अनुसरण में केन्द्रीय मरकार इसके हारा:—

- 15 अगस्त, 1976 से आगे और एक वर्ष की अधिक के लिये, प्रथमा
- वह अधिक जब तक इ० युग्मी एटोनियो गंधी अस्पताल, मिकन्दराबाद, आंध्र प्रदेश के साथ सम्बद्ध रहते हैं जो भी कम हो, वह अधिक विनिर्दिष्ट करती है जिसमें उक्त डॉक्टर प्रेक्षित्य कर सकेंगे।

[सं० बी०-11016/6/77-एम०पी०टी०]

MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

ORDER

New Delhi, the 14th March, 1977

S.O. 1027.—Whereas by the notification of the Government of India in the late Ministry of Health No. 16-21/62-MI, dated the 2nd February, 1963, the Central Government has directed that the Medical qualifications, "M.D. (Milano), Italy" granted by the Milano University (Italy) shall be a recognised medical qualifications for the purposes of the Indian Medical Council Act, 1956 (102 of 1956) ;

And whereas Dr. Grugni Antonio, who possesses the said qualification is for the time-being attached to the Gandhi Hospital, Secunderabad, Andhra Pradesh for the purposes of Training and Research ;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

- a further period of one year from the 15th August, 1976, or
- the period during which Dr. Grugni Antonio is attached to the said Gandhi Hospital, Secunderabad—Andhra Pradesh whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/6/77-MPT]

का० आ० 1028.—यदि श्री० के० राममर्ति राव, प्रधान नर्स, कर्मचारी राज्य बीमा निगम प्रम्भाल, गांधी ग्राम, विशाखापत्तनम्-५ (आंध्र प्रदेश) को भारतीय नर्सिंग परिषद् अधिनियम, 1947 (1947 का 48) को धारा 3 की उप-धारा (1) के खण्ड (क) के अन्तर्गत आनंद प्रदेश नर्स तथा धारी परिषद् ने 15 जून, 1976 से भारतीय नर्सिंग परिषद् का सदस्य निर्वाचित कर लिया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुमति में केन्द्रीय सरकार एनडीआर भारत सरकार भूमूल्य स्वास्थ्य मंत्रालय की 1-12-1958 की अधिसूचना संख्या एफ० 27-57/एम० II श्री० में और निम्नलिखित संशोधन करायी है, अर्थात्—

उक्त अधिनियम में “धारा 3 की उप-धारा (1) के खण्ड (क) के अन्तर्गत निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 11 और उसमें मंबधित प्रविष्टि के स्थान पर निम्नलिखित अमरण्या तथा प्रविष्टि रखी जाएगी— अर्थात्—

“11. श्री के० राममर्ति राव, प्रधान नर्स
कर्मचारी राज्य बीमा अस्पताल,
गांधी ग्राम, विशाखापत्तनम्-५
(आंध्र प्रदेश)”—

[म० 14013/1/76-एम०पी०टी०]

S.O. 1028.—Whereas Shri K. Rama Murthy Rao, Head Nurse, Employees State Insurance Hospital, Gandhigram, Visakhapatnam-5 (Andhra Pradesh), has been elected by the Andhra Pradesh Nurses and Midwives Council, to be a member of the Indian Nursing Council, under clause (a) of sub-section (1) of section 3 of the Indian Nursing Council Act, 1947 (48 of 1947), with effect from the 15th June, 1976;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. F. 27-57/M.II(B), dated the 1st December, 1958, namely :—

In the said notification, under the heading “Elected under clause (a) of sub-section (1) of section 3”, for Serial No. 11 and the entry relating thereto, the following serial number and entry shall be substituted, namely :—

“11. Sri K. Rama Murthy Rao,
Head Nurse,
Employees State Insurance Hospital,
Gandhigram, Visakhapatnam-5 (A.P.)”—

[No. V. 14013/1/76-MPT]

का०आ० 1029.—यदि इन चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 6 की उप-धारा (4) के साथ पठित, धारा 3 के खण्ड (ष) के अनुमति में, नागपुर विधायिकालय ने डा०जी० एल० इगाले के स्थान पर सरकारी वक्त्व कामेज तथा अस्पताल, नागपुर के डीन डा० जी०वी० शाक्तालकर को 17 अक्टूबर, 1976 से भारतीय वन्न परिषद् का सदस्य निर्वाचित किया है ; —

अतः अब उक्त अधिनियम की धारा 3 के अनुमति में केन्द्रीय सरकार एनडीआर भारत सरकार के भूमूल्य स्वास्थ्य मंत्रालय की 17 अक्टूबर, 1962 की अधिसूचना संख्या 3-2/62-एम० II में आगे निम्नलिखित संशोधन करनी है, अर्थात्—

उक्त अधिसूचना में “इन चिकित्सा अधिनियम की धारा 3 के खण्ड (ष) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 15 के

सामने वाली प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात्—

“डा० जी० श्री० शाक्तालकर,
डीन, सरकारी वन्न कालेज एवं अस्पताल,
नागपुर-३”

[म० श्री० 12013/1/77-एम०पी०टी०]

एम० श्रीनिवासन, उप मंत्रिव

S.O. 1029. Whereas in pursuance of clause (d) of section 3, read with sub-section (4) of section 6, of the Dentists Act, 1948 (16 of 1948), Dr. G. B. Shankwalkar, Dean, Government Dental College and Hospital, Nagpur has been elected by the Nagpur University to be a member of the Dental Council of India, with effect from the 17th October, 1976, vice Dr. D. L. Ingole ;

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 3-2/62-MII, dated the 17th October, 1962, namely :—

In the said notification, under the heading “Elected under clause (d) of section 3 of the Dentists Act”, against serial No. 15, for the entry, the following entry shall be substituted, namely :—

“Dr. G. B. Shankwalkar,
Dean, Government Dental College
and Hospital,
Nagpur-3”

[No. V. 12013/1/77-MPT]

S. SRINIVASAN, Dy. Secy.

प्रावेश

नई विल्सी, 17 मार्च 1977

का०आ० 1030.—केन्द्रीय सरकार स्वास्थ्य योजना (कानपुर) नियमाली, 1972 के नियम 1 के उप-नियम (3) के खण्ड (1) के अनुमति में केन्द्रीय सरकार एनडीआर कानपुर के निम्नलिखित इलाकों का निर्धारण करती है जिनमें उक्त नियम लागू होंगे, अर्थात् :—
1. किंवद्वई नगर डिस्ट्रीक्शन

हमीपुर रोड पर स्थित गाँव नौबस्ता से लेकर जूही पर वहाँ तक जहाँ हमीरपुर गाँड़ से नहर का छोराला, इसमें किंवद्वई नगर, हमीरपुर रोड से नीबस्ता (प्रवृत्त), धारीपुर्वा, किंवद्वई नगर, जूही (हमीरपुर रोड से वक्षिणी इलाका), अनुपम धियेटर, स्वदेशी काटन मिल और ड्रामपोर्ट नगर शामिल हैं।

उपर्युक्त चौराहे से झकरकाटी के निकटवर्ती नये पुल के जी०टी० रोड के चौराहे तक नहर द्वारा विभाजित इलाका, इसमें बाबू पुर्वा, बगाडी, सुजातगंज, सी०ओ०टी० कम्पाउण्ड और वहाँ पर स्थित अन्य कालोनियां शामिल हैं।

जी०ए०मी० रोड और जी०टी०रोड के चौराहे से पी०ए०सी०रोड द्वारा विभाजित इलाके से सी०ओ०टी० के पूर्वी और वक्षिणी किनारे पर स्थित 400 फूट की प्रस्तावित रोड तक का इलाका (यह इलाका आभी अविकसित है)।

पी०ए०सी० रोड और जी०टी०रोड के चौराहे से पी०ए०सी०रोड द्वारा विभाजित इलाके से सी०ओ०टी० के पूर्वी और वक्षिणी किनारे पर स्थित 400 फूट की प्रस्तावित रोड तक का इलाका (यह इलाका आभी अविकसित है)।

सी.ओ०टी० कम्पाइण्ड के पर्यांत किनारे से शागेपुर्वा टर्मिनस के निकट लघुरपुरा रोड तक का 400' रोड की शमाजित मध्यक द्वारा विभाजित इलाका, इसमें बाबा पुर्या, किद्वारी नगर, यहाँ पर स्थित रिजर्व बैंक कालोनी का नौबस्ता तक का खेत शामिल है।

2 कपड़ा मोहाल चिंपोगारी

धंटावर (हल्सी रोड और नहर के चौराहे) से लेकर लूपी रोड से मूनांज चौक (लूटके रोड शौर हल्सी रोड का चौराहा) का इलाका, इसमें जनरल गंज, नया गंज कमला टावर काहूँ कीली, मिर्की मोहाल, लाठी मोहाल हिटिया और पीपड़ ओं कालोनी का इलाका शामिल है।

मूलगंज चौराहे से मेस्टर्न रोड द्वारा विभाजित कोनदाली के निकट प्रम०जी०टोड के चौराहे तक का इलाका, इसमें टोपी बाजार, जौक हिटिया राम नगरण बाजार और कोनदाली का इलाका शामिल है।

उपर्युक्त चौराहे (कोनदाली) से फूल बांग तक प्रम०जी०टोड नहर विभाजित इलाका प्रीर फूल बांग से हरवंग मोहाल के निकट नहर के खौराहे तक का इलाका, इसमें बिरहाना गड़, नराची बाजार, नया गंज, पटकापुर शक्कर पट्टी, मिलयाना, मुतार बाजार, मृशा टाली, कैथफूल गंज अपड़ा मोहाल, मृश कम्पनी शामिल है।

उपर्युक्त (नहर और प्रम०जी०टोड के चौराहे से प्रम०जी०फैक्ट्री) तक नहर द्वारा विभाजित इलाका, इसमें गाहनी कालोनी, गगा त्रिज और जुहारी देवी गल्मी कालोन का इलाका शामिल है।

उपर्युक्त समान से वह इलाका जो पूर्व से गगा द्वारा और टैगोर रोड से भी विभाजित है जो नाना प्रथम सम्मेलन घाट और सनी चौराहा रोड तक गंगा के माध्य माथ जाना है। गनी चौराहे से इलाकाएँ लकड़ी रोड चौराहे तक नाथु मिह रोड (यह कमला लगभग एक दो किमी) है द्वारा विभाजित इलाका।

उपर्युक्त चौराहे से चकारी रोड द्वारा विभाजित बनिया बाजार तक चौराहि का इलाका।

उपर्युक्त चौराहे से चकारी रेलवे स्टेशन के निकट जी०टी०रोड तक पील रोड द्वारा विभाजित इलाका, इसमें छावनी का पूरा इलाका और पीरमूठ फैक्ट्री का इलाका आदि शामिल है।

उपर्युक्त समान से लाकर काटी के निकट नहर के चौराहे तक प्रथम में जी०टी०रोड द्वारा विभाजित इलाका, इसमें रेल बाजार, कैथफूल गंज मेन्ट्स रेलवे स्टेशन का अंत शामिल है।

जी०टी०रोड और नहर के चौराहे से धंटावर (मेन्ट्स रेलवे स्टेशन) हल्सी रोड टर्मिनस के चौराहे तक नहर द्वारा विभाजित इलाका।

[प्रम० प्रम० 11011/7/76-के०सूचा०म०००० (निमी)]

वी० गमच्छन, अवर भवित्व

ORDER

New Delhi, the 17th March, 1977

S.O. 1030.—In pursuance of clause (i) of sub-rule (3) of rule 1 of the Central Government Health Scheme (Kanpur) Rules, 1972, the Central Government hereby specifies the following areas in Kanpur to which the said rules shall extend, namely :—

1. Kidwai Nagar Dispensary

Area started from Naubasta village located at Hamirpur Road upto canal crossing at Juhu by Hamirpur Road catering by Kidwai Nagar, Naubasta (East) from H.P. Road, Dharipurwa, Kidwai Nagar, Juhu (Southern side from H. P. Road) Anupam theatre, Swadeshi Cotton Mill and transport Nagar.

From above (canal) crossing, area divided by canal upto G. T. Road crossing at New bridge near Jhakaikati, covering by Dhakana purwa.

From above crossing (canal and G. T. Road), area divided by G. T. Road, upto P A C. Road, Nr. Kakori village, covering by Baboo Purwa, Bazaar, Sujatganj, COD compound and other colonies located there.

From P. A. C. Road & G. T. Road crossing, area divided by P. A. C. Road upto 400' proposed Road Located at East and Southern corner of COD (this area is still undeveloped).

From east corner of COD compound, area divided by proposed 400' Road upto Hamirpur Road Ni. Dharipurwa terminus, covering by Baboo Purwa, Kidwai Nagar, Reserve Bank colony area located there upto Naubasta.

2 Kapra Mohal Dispensary :

Area starting from Ghantaghur (crossing of Halsi Road and canal), by Halsi Road upto Mool Ganj Chowk (crossing of Latuché Road and Halsi Road), covering by General Ganj, Naya ganj, Kamla Towei, Kahu Kothi, Sirki Mohal, Lathi Mohal, Hatiya and P & T colony area.

From Mool ganj chouraha, area divided by Mestern Road, upto M. G. Road crossing Near Kotwali, covering by topi Bazar, chowk Hatiya, Ram Naria Bazar and Kotwali area.

From above crossing (Kotwali) area divided by M. G. Road upto Phool Bagh and from Phool Bagh upto canal crossing Nr Hanbars Mohal, covering by Birhana Road, Karachi Khana, Naya Ganj, Patkapur, Sakkar Patti, Tilvana, Setar Khana, Bhoosa Tola, Faithful ganj, Khapria Mohal, Murray Company.

From above crossing (canal and M. G. Road) area divided by canal upto H. S. Factory, covering by Sahani Colony, Ganga bridge and Juhari Devi girls College area.

From above junction, area divided by ganga in East and also by Tagore Road, which is parallel to Ganga upto Nana Rao Masskar ghat and Satti Chouraha Road, From Satti Chouraha, area divided by Nathoo Singh Road (distance about 1-2 Km) upto Allhabad Chakeri Road, crossing.

From above crossing area divided by Chakari Road upto Baniva Bazar crossing with Peel Road.

From above crossing area divided by Peel Road, upto G. T. Road Nr. Chandari Railway Station, covering by full canionment area Parachute Factory area etc.

From above junction, area divided by G. T. Road in West upto canal crossing Nr. Jhankri Kati, covering by Rail Bazar (Faithful ganj, Central Rly. Station area.

From the crossing of G. T. Road and canal area divided by canal upto Ghanta Ghar (Central Railway Station) crossing of Halsi Road, Terminus.

[No. S. 11011/7/76-CGHS(P).]

V. RAMACHANDRAN, Under Secy.

रसायन एवं उर्बरक मंत्रालय

नई दिल्ली, ९ मार्च, 1977

S.O. 1031.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की वेदाल्पी) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रत्यन शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार, नीति की सारणी/के स्तम्भ (1) में विणित अधिकारी को, जो सरकार के राजपत्रित अधिकारी की पक्षिन के समकूल्य अधिकारी है, उस अधिनियम के प्रयोजनों के लिए सम्पवा अधिकारी नियुक्त करती है, जो उस सारणी के स्तम्भ (2) में विनियिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की स्थानीय सीमाओं के भीतर, उस अधिनियम द्वारा या उसके अधीन अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिगतित कर्तव्यों का पालन करेगा।

मारणी

अधिकारी का पदाधिधान सरकारी स्थानों के प्रबंग और अधिकारियों की स्थानीय सीमाएँ

(1)

(2)

मुख्य कार्यपालक अधिकारी, फॉलोइंजर कारपोरेशन आफ ईडिया भारतीय उर्वरक निगम, द्राम्बे की द्राम्बे यूनिट। उसके निमित्त द्राम्बे यूनिट और उसके उपनगर के लिए, पहुँच पर नियंत्रण स्थान।

[मं. का० 55/1/77-फर्टी II]

MINISTRY OF CHEMICAL & FERTILIZERS

New Delhi, the 9th March, 1977

S.O. 1031—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
Chief Executive Officer, Trombay Unit of Fertilizer Corporation of India Ltd., Trombay.	Premises belonging to, or taken on lease by or on behalf of, the Fertilizer Corporation of India Ltd., for Trombay Unit and its township.

[F. No. 55(1)/77-Ferts.II]

का०का० 1032.—सरकारी स्थान (अधिकृत अविभोगियों को देवशब्दी) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, नीचे की मारणी के सम्बन्ध (1) में वर्णित अधिकारी को, जो सरकार के रजिस्ट्रियन अधिकारी की पक्षित न समतुल्य अधिकारी है उक्त अधिनियम के प्रयोगनों के लिए सम्पदा अधिकारी नियुक्त करती है, जो उक्त मारणी के सम्बन्ध (2) में विनियोग सरकारी स्थानों की वाचन अपनी अधिकारियों की स्थानीय सीमाओं के खिलाफ उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा।

मारणी

अधिकारी का पदाधिधान

अधिकारी, प्रशासन अधिकारी, भारतीय उर्वरक निगम, द्राम्बे पुर की द्राम्बे यूनिट।

सरकारी स्थानों के प्रबंग और अधिकारियों की स्थानीय सीमा फॉलोइंजर कारपोरेशन आफ ईडिया निमिटेड के, या उसके द्वारा अथवा उसके निमित्त द्राम्बे यूनिट और उसके उपनगर के लिए पहुँच पर लिए गए स्थान।

[मं. का० 73/1/77-फर्टी-II]

टी० एन० मिशन, अवर सचिव

S. O. 1032—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
Senior Administrative Officer Durgapur Unit of Fertilizer Corporation of India Ltd., Durgapur.	Premises belonging to or taken on lease by or on behalf of the Fertilizer Corporation of India Ltd., for Durgapur Unit and its township.

[F. No. 73(1)/77-Ferts. II]

T. N. SINGHAL, Under Secy.

नौवेहन एवं परिवहन मन्त्रालय

(परिवहन पक्ष)

नई दिल्ली, 18 मार्च, 1977

का. आ. 1033.—दिल्ली परिवहन निगम (सदस्य) नियम 1973 के नियम 3 और 5 के साथ पीठत सङ्केत परिवहन नियम अधिनियम, 1950 (1950 का 64) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा दिल्ली प्रशासन, दिल्ली के परिवहन निवेशक, श्री एच. एन. फोतेदार को दिल्ली परिवहन नियम का सदस्य नियुक्त करती है और भारत सरकार के नौवेहन और परिवहन मन्त्रालय (परिवहन पक्ष) की अधिसूचना गं. का. आ. 328 (ई), दिनांक 1 मई, 1976 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के पैरा (1) में, मध्य (10) और तत्संबंधी प्रविधियों के लिए निम्नलिखित रुखी जाए, अर्थात् :—
“(10) श्री एच. एन. फोटोदार, परिवहन निवेशक, दिल्ली प्रशासन दिल्ली”।

[सं. टी.जी.डी.(59)/76]

बी. बी. महाजन, संयुक्त सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 18th March, 1977

S.O. 1033.—In exercise of the powers conferred by subsection (1) of section 5 of the Road Transport Corporation Act, 1950 (64 of 1950), read with rules 3 and 5 of the Delhi Transport Corporation (Members) Rules, 1973, the Central Government hereby appoints Shri H. N. Fotedar, Director of Transport, Delhi Administration, Delhi as Member of the Delhi Transport Corporation and makes the following further amendment in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S. O. 338(E), dated the 1st May, 1976, namely :—

In paragraph 1 of the said notification, for item (x) and the entry relating thereto, the following shall be substituted, namely :—

“(x) Shri H. N. Fotedar, Director of Transport Delhi Administration, Delhi”

[No TGD(59)/76]

B. B. MAHAJAN, Joint Secy.

संचार मंत्रालय

(इकान्तार बोर्ड)

नई दिल्ली 19 मार्च, 1977

का०आ० 1034.—संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुमार आकान्तार महानिवेशक ने निम्नोंनवनम टेलीफोन केन्द्र से दिनांक 16-4-77 से प्रमाणित दर प्रणाली लागू करने का निष्चय किया है।

[संख्या 5-13/77 बी० एन० बी०]

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 19th March, 1977

S.O. 1034.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-4-1977 as the date on which the Measured Rate System will be introduced in Tindivanam Telephone Exchange, Tamil Nadu Circle.

[No. 5-13/77-PHB.]

नई दिल्ली, 24 मार्च, 1977

का. आ. 1035.—का. आ. संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के

158 GI/76-3

खण्ड 3 के पैरा (क) के अनुसार इकान्तार महानिवेशक ने हरदौर्दोष टेलीफोन केन्द्र में दिनांक 16-4-77 से प्रमाणित दर प्रणाली लागू करने निष्चय किया है।

[संख्या 5-13/77-पी.एचपी.]

पी. री. गुप्ता, संचार महानिवेशक (पी. एन. बी.)

New Delhi, the 24th March, 1977

S.O. 1035.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-4-1977 as the date on which the Measured Rate System will be introduced in Hardoi Telephone Exchange, U.P. Circle.

[No. 5-11/77-PHB.]

P. C. GUPTA, Assistant Director General (PHB)

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 16 मार्च, 1977

का०आ० 1035.—भरकारी स्थान (प्राप्तिकृत प्रधिकारियों की बेदखली) प्रधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के भूलूपूर्व स्वास्थ्य तथा परिवार नियोजन और निर्माण, आवास तथा नगर विकास मंत्रालय (निर्माण, आवास तथा नगर विकास विभाग) के 11 जुलाई 1970 की प्रधिसूचना एस० ओ० 2344, का अधिकांत करते हुए जहाँ तक दिल्ली और इलाहाबाद में डॉक्सों के मंडल अधीक्षक इंजीनियरों से सम्बद्ध मद संख्या 2 का सम्बन्ध है और भारत सरकार रेल मंत्रालय (रेलवे बोर्ड) की 2 नवम्बर 1974 की प्रधिसूचना एस० ओ० सं० 2875 का प्रधिकरण करते हुए केन्द्रीय सरकार नीचे की सारणी के स्तम्भ (1) में वर्णित अधिकारी को जो सरकार का राजपत्रित अधिकारी है उक्त प्रधिनियम के प्रयोजनों के लिए सम्पदा प्रधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में विनियिष्ट सार्वजनिक परिसरों के भीतर उक्त प्रधिनियम द्वारा या उसके अधीन गम्पदा प्रधिकारी भी प्रवत्त एकियों का प्रयोग और प्रधिरोपित करनेवाले का पालन करते हैं।

तालिका

प्रधिकारियों के पदनाम

सार्वजनिक परिसरों की श्रेणियाँ और
अधिकार भेत्र की सीमाएँ

1

2

उत्तर रेलवे के इलाहाबाद बोकानेर, इलाहाबाद, बीकानेर, दिल्ली, फिरोज-दिल्ली, फिरोजपुर, जोधपुर, लखनऊ और मुरादाबाद में डॉक्सो के प्रधिकार भेत्र के मंडल इंजीनियर (इंजीनियरिंग विभाग के क्षेत्र) प्रशासकीय ग्रेड के प्रधिकारी।

[फाइल सं० 69 डब्ल्यू० 2/एन० ई०/13]

बी० मोहर्सी, सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 16th March, 1977

S. O. 1036.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in supersession of the notification of the Government of India in the late Ministry of Health and Family Planning and Works, Housing and Urban Development (Department of Works, Housing & Urban Development) No. S.O. 2344, dated the 11th July, 1970 insofar as it relates to item 2 pertaining to Divisional Superintending Engineers, Delhi and Allahabad Divisions and in supersession of the notification of the Government of India in the Ministry of Railways (Railway Board) No. S.O. 2875, dated the 2nd November, 1974, the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being Gazetted Officers of Government, to be Estate Officers for the purpose of the said Act and further directs that the said officers shall exercise the powers conferred, and perform the duties imposed on Estate Officers by or under the said Act, within the local limits of their jurisdiction in respect of the Public Premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of the Officers	Categories of public premises & local limits of jurisdiction
1	2
Senior Divisional Engineers (Junior Administrative Grade Officers of Engineering Department) Allahabad, Bikaner, Delhi, Ferozepur, Jodhpur, Lucknow and Moradabad Divisions of Northern Railway.	Premises under the administrative control of the Northern Railway situated within the jurisdiction of Allahabad, Bikaner, Delhi, Ferozepur, Jodhpur, Lucknow and Moradabad Divisions of Northern Railway.

[F. No. 69/W2/LE/13]
B. MOHANTY, Secy.

अम मंत्रालय

आदेश

नई दिल्ली, 17 फरवरी, 1977

का०आ० 1037—इससे उपर्युक्त प्रत्यक्षी में विनिर्दिष्ट ग्रौथोगिक विवाद श्री मोहन लाल जैन, पीठासीन अधिकारी, केन्द्रीय सरकार ग्रौथोगिक अधिकरण, करीदारावाद के समक्ष लम्बित हैं;

और उक्त श्री मोहन लाल जैन की सेवाएँ भव उपलब्ध नहीं हैं;

ग्रन्त, ग्रन्त, ग्रौथोगिक विवाद प्रथितियम् 1947 (1947 का 14) की धारा 33ब की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री मोहन लाल जैन, पीठासीन अधिकारी, केन्द्रीय सरकार ग्रौथोगिक अधिकरण, करीदारावाद से उक्त विवादों से सम्बद्ध कार्यवाहियों को आपस लेती है और उक्त अधितियम की धारा 7क के अधीन गठित केन्द्रीय सरकार ग्रौथोगिक अधिकरण, नई दिल्ली को इस्तोतरित करती है और यह निदेश देती है कि उक्त केन्द्रीय सरकार ग्रौथोगिक अधिकरण, नई दिल्ली और आगे कार्यवाहियों उसी प्रक्रम से करेगा जिस पर इसे हस्तात्तरित की जाएँ और विधि के अनुसार उनका निपादन करेगा।

प्रत्यक्षी

प्रमाण विवाद संघर्षा आदेश/प्रधिमूलता संघर्षा और तारीख	विवाद के पक्षकार		
(1)	(2)	(3)	(4)
1. 1972 का एल-29012(5)/73- संदर्भ संघर्षा 1-ग	एल०आर०-4 तारीख 14 जून, 1973 और 24 दिसम्बर, 1973	मैसर्स डालमिया दादरी सीमेंट निं०, चरखी दादरी की दुरीवाला क्षारी के ठेकेवार मैसर्स जीतराम शिवराम और उनके कर्मकार।	
2. 1973 का एल-29011/56/73- संदर्भ संघर्षा 4-ग	एल०आर०-4 तारीख 22-11-1973	डालमिया दादरी सीमेंट निं०, चरखी दादरी और दुरीवाला क्षारी के कक्ष ट्रांसपोर्ट लॉडिंग ठेकेवार मर्बंश्री रामचन्द्र और सुभाषचन्द्र और उनके कर्मकार।	
3. 1974 का एल-29012(5)/73- संदर्भ संघर्षा 5-ग	एल०आर०-4, तारीख 24-12-73	मैसर्स डालमिया दादरी सीमेंट निं०, चरखी दादरी की दुरीवाला क्षारी के मंधरक ठेकेवार मैसर्स जीतराम गिर राम	
4. 1974 का एल-29011(16)/74- संदर्भ संघर्षा 6-ग	एल०आर०-4, तारीख 9 अगस्त, 1974	श्री खब्बचन्द्र, ठेकेवार और मैसर्स डालमिया दादरी सीमेंट निं०, चरखी दादरी (हरियाणा) के प्रबन्धतत्व और उनके कर्मकार।	
5. 1975 का एल-29012(21)/74- संदर्भ संघर्षा 1-ग	एल०आर०-4, तारीख 30 नवम्बर, 1974	डालमिया दादरी सीमेंट निं०, चरखी दादरी और उनके कर्मकार।	
6. 1975 का एल-29012(20)/74- संदर्भ संघर्षा 2-ग	एल०आर०-4, तारीख 30 नवम्बर, 1974	मैसर्स डालमिया दादरी सीमेंट निं०, चरखी दादरी और उनके कर्मकार।	
7. 1975 का एल-29012(19)/74- संदर्भ संघर्षा 3-ग	एल०आर०-4, तारीख 27 नवम्बर, 1974	मैसर्स डालमिया दादरी सीमेंट निं०, चरखी दादरी और उनके कर्मकार।	
8. 1975 का एल-29012(28)/74- संदर्भ संघर्षा 4-ग	एल०आर०-4, तारीख 16 जमानी, 1975	मैसर्स डालमिया दादरी सीमेंट निं०, चरखी दादरी (हरियाणा) और उनके कर्मकार।	
9. 1975 का एल-29012(29)/74- संदर्भ संघर्षा 5-ग	एल०आर०-4, तारीख 12 फरवरी, 1975	डालमिया दादरी सीमेंट निं०, चरखी दादरी (हरियाणा) और उनके कर्मकार।	
10. 1975 का एल-29011'(99)/75- संदर्भ संघर्षा 6-ग	झी-3(बी) तारीख 21 अक्टूबर, 1975	डालमिया दादरी सीमेंट निं०, चरखी दादरी और उनके कर्मकार।	
11. 1975 का एल-29011(106)/75- संदर्भ संघर्षा 7-ग	झी-3(बी), तारीख 21 अक्टूबर, 1975	डालमिया दादरी सीमेंट निं०, चरखी दादरी और उनके कर्मकार।	

(1)	(2)	(3)	(4)
12.	1975 का संवर्ध संघर्ष द्वी-०-३(बी), तारीख 8-ग	एल-२९०११(101)/७५ 21 अक्टूबर, 1975	दालमिया दावरी सीमेंट लि०, चरखी दावरी और उनके कर्मकार
13.	1975 का संवर्ध संघर्ष द्वी-०-३(बी), तारीख 9-ग	एल-२९०११(100)/७५ 21 अक्टूबर, 1975	दालमिया दावरी सीमेंट लि० चरखी दावरी और उनके कर्मकार

[सं. एम-११०२५(२)/७६-डी०-२(बी)]

**MINISTRY OF LABOUR
ORDER**

New Delhi, the 17th February, 1977

S.O. 1037.—Whereas the industrial disputes specified in the Schedule hereto annexed are pending before Shri Mohan Lal Jain, Presiding Officer, Central Government Industrial Tribunal, Faridabad;

And whereas the services of the said Shri Mohan Lal Jain are no longer available;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby withdraws the proceedings in relation to the said disputes from Shri Mohan Lal Jain, Presiding Officer, Central Government Industrial Tribunal, Faridabad and transfers the same to the Central Government Industrial Tribunal, New Delhi constituted under Section 7A of the said Act and directs that the said Central Government Industrial Tribunal, New Delhi shall proceed with the same proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No. Dispute No. Order/Notification No. & date

(1)	(2)	(3)	(4)
1.	Ref.No.1-C of 1972	L-२९०१२(३)/७३- LR-IV Dt. 14th June, 1973 and 24th Dec., 1973	Messrs Jit Ram Sheo Ram, Contractor, Dudiwala Quarry of Messrs Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
2.	Ref.No. 4-C of 1973	L-२९०११(५६)/७३- LR-IV Dt. 22-11-73	Dalmia Dadri Cement Limited, Charkhi Dadri and Sarvashri Ram Chander and Subhash Chand, Kankar Transport Loading Contractors in Dudiwala Quarry and their workmen.

(1)	(2)	(3)	(4)
3.	Ref.No.5-C of 1974	L-२९०१२(५)/७३- LR-IV dt. 24-12-73	Messrs Jit Ram Sheo Ram Supplier Contractor in Dudiwala Quarry of Messrs Dalmia Dadri Cement Limited, Charkhi Dadri.
4.	Ref. No. 6-C of 1974	L-२९०११(१६)/७४- LR-IV dt. 9th Aug., 1974	Shri Khub Chand, Contractor and the management of Messrs Dalmia Dadri Cement Limited, Charkhi Dadri (Haryana) and their workmen.
5.	Ref. No. 1-C of 1975	L-२९०१२(२१)/७४- LR-IV dt. 30th Nov., 1974.	Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
6.	Ref.No. 2-C of 1975	L-२९०१२(२०)/७४- LR-IV Dt. 30th Nov., 1974	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
7.	Ref. No. 3-C of 1975	L-२९०१२(१९)/७४- LR-IV Dt. 27th Nov., 1974	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
8.	Ref.No. 4-C of 1975	L-२९०१२(२८)/७४- LR-IV Dt. 16th Jan., 1975	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri (Haryana) and their workmen.
9.	Ref. No. 5-C of 1975	L-२९०१२(२९)/७४- LR-IV Dt. 12th Feb., 1975	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri (Haryana) and their workmen.
10.	Ref. No. 6-C of 1975	L-२९०११(९९)/७५- D.III(B) Dated 21st Oct., 1975	Dalmia Dadri Cement Ltd., Charkhi Dadri and their workman.
11.	Ref. 7-C of 1975	L-२९०११(१०६)/७५- D.III(B) Dated 21st Oct., 1975	Dalmia Dadri Cement Ltd., Charkhi Dadri and their workman.
12.	Ref. No. 8-C of 1975	L-२९०११ (१०१)/७५ D.III (B) Dated 21st Oct., 1975	Dalmia Dadri Cement Limited, Charkhi Dadri and their workman.
13.	Ref. No. 9-C of 1975	L-२९०११(१००)/७५- D.III(B) Dated 21st Oct., 1975	Dalmia Dadri Cement Limited, Charkhi Dadri and their workman.

[No. S-११०२५(२)/७६-४.IV(B)]

New Delhi, the 15th March, 1977

S.O. 1038.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jabalpur in the industrial dispute between the employers in relation to the management of North Jhagrakhand Colliery of Western Coalfields Ltd. P. O. Jhagrakhand Colliery District Surguja and their workmen, which was received by the Central Government.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT, JABALPUR (M. P.)

Case No. CGIT/LC(R)(7) of 1976

PARTIES :

Employers in relation to the management of North Jhagrakhand Colliery of Western Coalfields Limited, Post Office Jhagrakhand Colliery, District Surguja and their workmen represented through the Jhagrakhand Workers' Union, Post Office Jhagrakhand District, Surguja (M.P.)

APPEARANCES :

For Workman—Shri Gulab Gupta, Advocate

For Management—Shri P. S. Nair, Advocate

INDUSTRY Coal Mines DISTRICT : Surguja (M.P.)

Dated : January 12, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. I-22012/23/75-D III (B) Dated 19th May, 1975 for the adjudication of the following industrial dispute :

"Whether the action of the management of North Jhagrakhand Colliery of Western Coalfields Limited, Post Office Jhagrakhand Colliery, District Surguja (Madhya Pradesh) in transferring Shri J. P. Srivastava Clerk from North Jhagrakhand Colliery to Bijuri Colliery vide their Order Number AGM(JKD)/ACPO-145/8194-8200 dated 12-7-1975 is proper and justified?"

2. It is not disputed that North, South and West Jhagrakhand Collieries were under a private owner and were governed by a common Standing Orders certified under the Industrial Employment (Standing Orders) Act Clause 30 of that Standing Orders ran as follows :—

"All workmen are liable to be transferred from one department to another or from one station to another or from one colliery to another under the same management provided such transfer does not cause any prejudice to their wages and other conditions of service."

Shri Jwala Prasad Srivastava had been in the employment of the erstwhile private owner and has now completed about 38 years of faithful service at North Jhagrakhand Colliery. He was never before transferred to any other colliery even within the group of the North, South and West Jhagrakhand collieries, which as said above, were governed by the common management and common Standing Orders.

3. In the year 1956 N C D. C. Ltd. was formed as Government Controlled Company. Bijuri Colliery was managed by the N C D. C. Ltd. However, that Colliery was closed down in the year 1962 and was reopened on 1-1-1975. On 31-1-1973 the management of Jhagrakhand Collieries was taken over by the Government of India and since 1-5-1973 they stood nationalised. Recently N C D. C. Ltd. has merged into Coal India Ltd. which in this region of Madhya Pradesh is being managed by the subsidiary Company known as Western Coalfields Ltd. with its Headquarters at Nagpur. The collieries of Jhagrakhand group of collieries fall within the jurisdiction of this Western Coalfields Ltd. and comprise of the following collieries .

1. North Jhagrakhand Colliery
2. West Jhagrakhand Colliery
3. South Jhagrakhand Colliery
4. Rajnagar Colliery
5. Ramnagar Colliery
6. Bijuri Colliery
7. B. Seam Colliery.

Thus under the present management the Jhagrakhand group of collieries are being administered by the Area General Manager of Jhagrakhand area of Western Coalfields Ltd. The terms and conditions of service as they existed in the Jhagrakhand collieries with the private owners continued to govern the employees of those collieries. When Bijuri colliery was started the employees there were governed by separate terms and conditions of service

4. Shri Jwala Prasad Srivastava, by a letter No AGM (JKD)/ACPO-145/8194-8200 Dated 12th July, 1975 issued by the Superintendent of Mines Jhagrakhand area, was ordered to be transferred from North Jhagrakhand Colliery to Bijuri Colliery. He was relieved from the duties at North Jhagrakhand Colliery on 18-3-1975 by letter No M/J/3/257 Dated 14th July, 1975. However, he did not join his assignment at Bijuri Colliery and made a representation to the management. The management did not yield to the request of Shri Jwala Prasad Srivastava and hence he, as the President of the Jhagrakhand Workers Union, referred the matter to the Assistant Labour Commissioner who submitted a failure report to the Government resulting in this reference. Shri Jwala Prasad Srivastava was previously in I.N.T.U.C. but due to some differences he came out of that Union and started his own in the name of Jhagrakhand Workers Union. He is the President of that Union and admittedly there are only a few members of that Union in the North Jhagrakhand Colliery. However, that Union is active and fighting for the claims of the members. It has been duly registered

5. The case of the Union is that according to the service conditions with the private sector employers, which service conditions continued to govern the workmen under Sec 14 of the Coal Mines Nationalisation Act when the Colliery was taken over and nationalised, his transfer could be possible only within the three collieries viz. North, South and West Jhagrakhand collieries and to no other unit. It disturbs the senior most position of Shri Jwala Prasad Srivastava in North Jhagrakhand Colliery and adversely affects the chances of his promotion. The quarter offered to Shri Srivastava at Bijuri Colliery has no water and electricity amenities and is not suitable for his status as against the quarter which he is occupying at North Jhagrakhand Colliery. This transfer order is therefore violative of the service conditions and is therefore illegal. The transfer is actuated with malice and amounts to unfair labour practice and victimization because the management is not pleased with the trade union activities of Shri Srivastava and wants to stall them by such a transfer. It is a colourable exercise of powers in as much as it intends to penalise Shri Srivastava for his legitimate trade union activities.

6. The management has alleged that in spite of its attempts to participate in the proceedings before the Assistant Labour Commissioner he proceeded exparte and submitted a failure report which was un-justified and against the spirit of the provisions of the Industrial Disputes Act. As there was no genuine attempt for a settlement it affected the validity of the reference. The Government did not apply its mind and acted mechanically because it referred a dispute between North Jhagrakhand Coalfields and their workmen when in fact there is no such Coalfields in existence. There was no industrial dispute in existence because a dispute of transfer of an employee was not envisaged within the definition of Sec 2(k) of the Industrial Disputes Act. The reference needs no answer because the dispute as referred has no existence. The Union is alleged to be a paper union having no membership substantial or sufficient number of workers are not interested in the matter and thus the individual dispute of Shri Jwala Prasad Srivastava has not assumed the shape of industrial dispute. The validity of this reference has been challenged on this count as well. The management has tried to justify the transfer on grounds of the policy dictates of the Hon'ble Minister, administrative convenience and considerations of running the newly opened Bijuri Colliery in a proper way by experienced persons without resorting to fresh recruitment. It has also been alleged that the transfer was in pursuance of the policy to provide for surplus available labour at the newly opened mines. The allegation of victimization, violation of the Standing Orders and malicious nature of the transfer with a view to restrict genuine trade union activities have been denied. All facilities for the transfer were given to the employee. It is said that 300 employees were transferred and none except Shri J. P. Srivastava has raised an objection to it.

7. Management's attack on the validity of reference is five pronged. Firstly it is alleged that genuine and proper attempt to conciliate after following proper procedure giving due notice to conciliate after following proper procedure giving due notice reference according to the scheme of the Industrial Disputes Act. The contention has no force. The observations of the Supreme Court in Niemla Textile Mills Ltd. Vs. State of Punjab (4 SCLJ 2212(2220-21) are a complete answer to it. The Supreme Court said at page 2220 that :

"It follows from this survey of the relevant provisions of the Act that the different authorities constituted under the Act are set up with different ends in view and are invested with powers and duties necessary for the achievement of the purposes for which they are set up. The appropriate Govt is invested with a discretion to choose one or the other of the authorities for the purpose of investigation and settlement of industrial disputes and whether it sets up one authority or the other for the achievement of the desired ends depends upon its appraisal of the situation as it obtains in particular industry or establishment....."

Again on page 2221 it observed that :

"If on the other hand the matter brooks no delay the appropriate Government may possibly refer the dispute to a Board of Conciliation before referring it for adjudication or to an industrial Tribunal or may straightway refer it for adjudication by the Industrial Tribunal."

8. The underlined part of the observation at page 2221 clearly lays down that conciliation proceedings are not the sine-qua-non for the validity of the reference made for industrial adjudication to a Tribunal. If such conciliation proceedings are not the essential prerequisites then the conciliation officer's alleged failure to strictly follow the formal procedure reflects no adverse stigma on the reference based on such failure report. This Tribunal will not go into the details of that procedure for coming to the conclusion that reference was valid. Moreover there is only a bare allegation of the management that the Asstt. Labour Commissioner promised to accommodate the ailing officer who was posted with facts, and yet proceeded ex parte giving no further time. It has no legs to stand. The Union has alleged that the management took no care to participate and behaved rather contemptuously. The discretion to grant or not an adjournment and consequent discretion to proceed ex parte vested in the Asstt. Labour Commissioner and there is no evidence that it was exercised capriciously or maliciously. That was for the Government to examine whether the Asstt. Labour Commissioner submitted his failure report superficially or after making genuine efforts for conciliation. Reference cannot, therefore, be held invalid on such a flimsy ground.

9. The second attack is that the reference is mechanical because it speaks of 'Jhagrakhand Coalfields' as the employer when there is no such Coalfield. The plea is absurd and omits to take note of the correction of clerical error in the opening paragraph of the reference.

10. The third attack is that Shri J. P. Srivastava is no more on the rolls of Jhagrakhand Colliery after being relieved from there on 18-7-1975. He is now borne on the rolls of Bijuri Colliery where he has been transferred. Thus there is now no employer-employee relationship between Shri J. P. Srivastava and Jhagrakhand Colliery. How could there be an industrial dispute between such persons who are not within the concept of employer-employee relationship. This argument is again quite falacious. The reference relates back to the validity of the transfer order and when such order was passed employer-employee relationship did admittedly exist between Jhagrakhand Colliery and Mr. Srivastava. Moreover, the management has taken the plea that both the collieries are under the same management. This means that even if Shri J. P. Srivastava is the employee of Bijuri Colliery his employer continues to be the same common employer i.e. the management of Jhagrakhand Colliery. The reference speaks of the management of North Jhagrakhand Colliery as the employer (whatever may be its extended field of activity). It cannot therefore be said that there is no employer-employee relationship between Shri J. P. Srivastava and the management of

North Jhagrakhand Colliery and consequently the validity of reference remains unassailable on this count.

11. Fourthly it is alleged that Transfer is not an industrial dispute. This again is a plea against a settled question—only a decorative unnecessary plea which should have been avoided in the interest of expeditious disposals. There are several cases in which Supreme Court has dealt with such industrial disputes of transfers. It is a dispute relating to the conditions of service as envisaged in the definition given in Sec. 2(k) of the Industrial Disputes Act.

12. Lastly the management has challenged the validity of the reference on the ground that the sponsoring union has no membership worth the name, Shri J. P. Srivastava, is the President and he has in his own interest made the move as President of the Union without seeking the mandate of the members. The Union raised the plea in para 5 of the written statement that Shri J. P. Srivastava after falling out from INTUC formed this Jhagrakhand Workers Union which has been registered with the Registrar of Trade Unions. It is actively operating in Jhagrakhand Colliery for the last few years. There is no denial of these facts in the written statement-cum-rejoinder of the management. Even their own evidence goes to show that the union has about 54 members in Jhagrakhand Colliery as against the strength of about 1100 Labourers. Whatever the number the union has membership and there is evidence that it is actively taking up cases of gratuity etc. It is a registered Union. It is, therefore, not correct to say that it is a paper union simply because it is in minority. Its existence cannot be denied.

13. This Union raised the dispute before the Assistant Labour Commissioner. Government of India accepted it to be in existence. Hence a heavy burden lay upon the management to prove to the contrary. It has failed to discharge that burden. The argument that without being authorised by a mandate of the members in the form of a resolution Shri J. P. Srivastava could not sponsor his own dispute as President of the Union, has no force because no such plea was ever raised in the written statement-cum-rejoinder and parties had no opportunity to lead evidence on that point. The propriety of such move by Shri J. P. Srivastava can be questioned only by the Union workmen and not by the management.

14. An individual dispute is converted into an industrial dispute in one of the following ways :—

- (i) If it is sponsored by the registered union of the establishment ;
- (ii) If it is sponsored by an outside general union if sufficient number of workmen of that establishment support it by a resolution ; or
- (iii) If it is supported by a substantial number of the workmen of the establishment.

In the present case the dispute became an industrial dispute as it was sponsored in the manner laid down in clause (i) above. No one can say that the Union is not interested in the cancellation of the transfer of its President. As discussed above the sponsoring Union is the Union operating in that establishment.

15. In the case of Workmen Vs. Dharampal Premchand (Sangadhi) (1965-I-LI J 668(673) Supreme Court held that a dispute of 18 workmen espoused by the union of which none else in that establishment was a member was an industrial dispute. The Supreme Court observed that :

"It is not disputed that a union of workmen may validly raise a dispute as to dismissal even though it may be a union of the minority of the workmen employed in an establishment."

It is therefore held that all this five pronged attack on the validity of reference fails and the pleas in that respect are dismissed as frivolous and untenable.

16. This brings us to the question whether transfer was in bona fide discharge of managerial functions and not in breach of service conditions because there is abundant case law from which settled position emerges out that employer is the best

judge of the way in which its man power should be distributed (Canara Banking Corporation Vs. Vittal—1963-II-LJ (SC) 354); transfer is a right incidental to managerial functions (Marry Vs. Selai Parai Estate—1956-I-LJ 343); it is an internal arrangement of the employer (Barcilly Electric Supply Co. Vs. Sirajuddin—1960-I-LJ 556 SC); and the Tribunal shall not interfere if it is bona fide exercise of power due to exigencies of the situation which the management shall determine and if it does not violate the service conditions of the employee or puts him to a disadvantageous position.

17. In the present case the workman was governed by the service conditions laid down in clause 30 of the Standing Orders framed by the erstwhile owner. This clause 30 envisaged transfers within the North, South and West Jharkhand Collieries. The service condition contained in Clause 30 of the Standing Orders of the erstwhile owner remained protected under S. 14 of Coal Mines Nationalisation Act. Thus Shri J. P. Srivastava could be transferred only within the area of the three Jharkhand Collieries. His transfer to an outside area like Bijuri Colliery was not envisaged under the service conditions applicable to him. Bijuri Colliery was lying closed for a long time and it was reopened only in the year 1975 when this workman was ordered to be transferred to that Colliery. The service conditions never envisaged that after take over the new employer shall open a new mine and the employee shall be transferred to that place. In Kundan Sugar Mills Vs. Ziauddin (1960-I-LJ 766) Supreme Court said it is never the implied condition of service of a workman that the employer has right to transfer him to a new concern started by the employer subsequent to the date of employment of the workman. Applying this principle to the present identical situation it is held that the transfer is contrary to the service conditions applicable to Shri J. P. Srivastava.

18. It is again not valid because it puts the employee to a disadvantageous position. Firstly he loses the quarter Miner's quarter which is being offered to him at Bijuri has less of living space and there is water and electric power deficiency. Moreover his case has been forwarded to anomaly committee as per statement of Shri B. S. Saikhu, M.W.I, which has yet to decide whether he should be placed in Grade I or Grade II. In case he is placed in Grade II the promotion will be a local affair and by his transfer to Bijuri Colliery he may lose that senior most position which he is occupying at North Jharkhand Colliery. This will retard his chances of promotion. Areawise seniority list is maintained only for promotion to special grade from Grade I and not for promotions from Grade II to Grade I. In this way the transfer is likely to operate against his chances of promotion. Thus according to Clause 30 of the Standing Orders the transfer will be bad because it will operate adversely on the service conditions of the workman.

19. Shri J. P. Srivastava was working as Time Keeper Clerk at Jharkhand Colliery. It is said that for the newly opened Bijuri Colliery the management required an experienced hand. There is no evidence that no other experienced hand was available. Shri J. P. Srivastava is the President of the Jharkhand Workers Union. There should have been some more compelling reason to disturb such a protected type of workman for placing him at a station where he has no footing and where his union is non-existent. It may, under the circumstances, smell of malafides. A clerical job of marking attendance does not seem to be so onerous or important a task as may call for the services of such an experienced man as Mr. Srivastava is.

20. Considering all this factual and legal situation, I am inclined to hold that the transfer of Shri J. P. Srivastava from North Jharkhand to Bijuri Colliery vide order referred to in the Schedule of the reference was neither proper nor justified. Reference is answered accordingly.

S. N. JOHRI, Presiding Officer

12-1-1977.

[No. L-22012/23/75-D.III B/D.IVB]

BHUPENDRA NAIDU, Desk Officer

नई दिल्ली, 17 मार्च, 1977

का० प्रा० 1039—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 4 द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के शम और पुस्तकालय मंत्रालय की अधिसूचना संख्या का०प्रा० 1561 तारीख 12 मार्च, 1972 में एतदारा निम्नलिखित संशोधन करती है ग्राह्यतः—

उक्त अधिसूचना की सारणी में—

- (i) क्रम संख्या 21 के सामने स्थान 3 के अन्तर्गत प्रतिष्ठि के स्थान पर “सम्पूर्ण भारत” शब्द रखे जायेंगे।
- (ii) क्रम संख्या 22 के सामने स्थान 3, के अन्तर्गत प्रतिष्ठि में “पंजाब हरियाणा, उत्तर प्रदेश, मध्य प्रदेश और जम्मू व कश्मीर के राज्य तथा मध्य गणराज्य और चंडीगढ़ व दिल्ली” जोड़े जायेंगे।

[मुद्रा ग्रा०-11025/5/76-डी०I(८०)]

New Delhi, the 17th March, 1977

S.O. 1039.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendments in the notification of the Government of India, Ministry of Labour and Rehabilitation No. S.O. 1561 dated the 12th April, 1972, namely:—

In the Table attached to the said notification,—

- (i) against serial number 21, under column 3 for the entry, the entry “whole of India” shall be substituted;
- (ii) against item 22, under column 3, the entry “The States of Punjab, Haryana, Uttar Pradesh, Madhya Pradesh and Jammu and Kashmir, and the Union territories of Chandigarh and Delhi”, shall be inserted.

[No. S. 11025/5/76/DI(A)]

प्रावेश

नई दिल्ली, 18 मार्च, 1977

का० प्रा० 1040.—भारत सरकार के शम और रोजगार मंत्रालय की अधिसूचना संख्या का० प्रा० 459 दिनांक 5 फरवरी, 1963 द्वारा गठित शम स्थायालय, जिसका मुख्यालय बगलीर में स्थित है, के पीठामीन अधिकारी का पद रिक्त हो गया है;

अत, अब, प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री एच० शनमुखप्पा का पूर्वोक्त गठित शम स्थायालय का पीठामीन अधिकारी नियुक्त करती है।

[म० एस-11020/7/77-डी०(८०)]

ORDER

New Delhi, the 18th March, 1977

S.O. 1040.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court with headquarters at Bangalore constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 459 dated the 5th February, 1963.

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri H. Shanmukhappa as the Presiding Officer of the Labour Court constituted as aforesaid.

[No. S. 11020/7/77/DI(A)]

का० आ० 1041.—भारत सरकार के लक्षकानीन श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 1970, तारीख 28 माई, 1968 द्वारा गठित श्रम न्यायालय संख्या 2, बम्बई के पीठासीन अधिकारी के कार्यालय में एक रिक्ति हुई है,

अतः, अब, ग्रीष्मीय विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री पी० राम कृष्णन को 10-3-1977 से उक्त श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करनी है।

[का० संख्या एस-11020/8/77-डी० (i)]

S.O. 1041.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court No. 2, Bombay, constituted by the notification of the Government of India in the then Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1970 dated 28th May, 1968;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P. Ramakrishna as the Presiding Officer of the said Labour Court with effect from the 10th March, 1977.

[F. No. S. 11020/8/77/DIA.(i)]

का० आ० 1042.—भारत सरकार के लक्षकानीन श्रम, रोजगार और ग्रीष्मीय मंत्रालय, (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 1971, तारीख 28 माई, 1968 द्वारा गठित ग्रीष्मीय अधिकारण संख्या 2, बम्बई के पीठासीन अधिकारी के कार्यालय में एक रिक्ति हुई है;

अतः, अब, ग्रीष्मीय विवाद अधिनियम 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री पी० रामकृष्णन को 10-3-77 से उक्त ग्रीष्मीय अधिकारण के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[का० संख्या एस-11020/8/77-डी० I ए० (ii)]

एस०के० नारायणन, डेस्क अधिकारी

S.O. 1042.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Industrial Tribunal No. 2, Bombay constituted by the notification of the Government of India in the then Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment) No. S.O. 1971 dated the 28th May, 1968;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P. Ramakrishna, as the Presiding Officer of the said Industrial Tribunal, with effect from the 10th March, 1977.

[F. No. S. 11020/8/77/DIA.(ii)]

I. K. NARAYANAN, Desk Officer.

नई विल्सी, 19 मार्च, 1977

का० आ० 1043.—भारत अधिनियम, 1952 (1952 का 35) की धारा 5 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार सर्वथी श्री०पी० मालकिया और डी० के० गाय को मृत्यु भ्रात निरीक्षक के अधीन भ्रात निरीक्षक के रूप में नियुक्त करनी है।

[स० ए०-12025/6/75-एम०]

जगदीशचन्द्र सक्सेना, अवर मंत्री

New Delhi, the 19th March, 1977

S.O. 1043.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Sarvashri O. P. Malviya and D. K. Roy as Inspectors of Mines subordinate to the Chief Inspector of Mines.

[No. A. 12025/6/75-MI]
J. C. SAXENA, Under Secy.

नई विल्सी, 19 मार्च, 1977

का० आ० 1044.—व्यक्ति क्षमीत (आपात उपबन्ध) स्कीम, 1971 के खण्ड 2 के उपस्पष्ट (ग) के उपबन्ध के अनुसरण में और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 1280, तारीख 17 मई, 1974 का अतिक्रमण करते हुए, केन्द्रीय सरकार राष्ट्र मंत्रालय के उप सचिव, श्री के पी. बिश्वास को, रक्षा मंत्रालय के अधीन नियोजित या नियक्त सिविलियनों की बाबत, उक्त स्कीम के अधीन संदाय करने के लिए दावा अधिकारी के रूप में नियुक्त करती है।

[संख्या एस-20013/1/73-फैक्.]

वी. चन्द्रा मौलि, निवेशक

New Delhi, the 19th March, 1977

S.O. 1044.—In pursuance of the provision of sub-clause (c) of clause 2 of the Personal Injuries (Emergency Provisions) Scheme, 1971, and in supersession of the notification of the Government of India in the Ministry of Labour No. S. O. 1286, dated the 17th May, 1974, the Central Government hereby appoint Shri K.P. Biswas, Deputy Secretary in the Ministry of Defence as Claims Officer to make payments under the said Scheme in respect of the civilians employed or engaged under the Ministry of Defence.

[No. S-20012/1/73-Fac.]

V. CHANDRA MOWLI, Director

नई विल्सी, 21 मार्च, 1977

का० आ० 1045.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और इस निभिन्न सभी विवाहान अधिसूचनाओं को अधिकांत करते हुए, नीचे की सारणी के स्तरम् (1) में विनिर्दिष्ट श्रेणीों की बाबत, उक्त अधिनियम और उसके प्रशीन विवित किसी स्कीम, कुटुम्ब पेशन स्कीम और बीमा स्कीम के प्रयोजनों के लिये, केन्द्रीय सरकार के या उसके नियंत्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन या किसी तेसे स्थापन के सम्बन्ध में जिसके विभाग या शाखायें एक से अधिक ग्राम में हैं, सिरीशक नियुक्त करनी है।

सारणी

अधिकारी

क्षेत्र

(1)

(2)

- प्रावेशिक भविष्य-निधि-आयुक्त सम्पूर्ण ग्रान्थ प्रदेश राज्य क्षेत्र और प्रावेशिक विभाग (हैदराबाद) के और पाइकोरी संघ राज्यक्षेत्र प्रावेशिक कार्यालय के सभी कार्यालय में विधि निरीक्षक।

1	2
2. प्रादेशिक भविष्य-निधि-प्रायुक्त मम्पूर्ण आगाम, मणिपुर, त्रिपुरा, निधि के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	मम्पूर्ण आगाम, मणिपुर, त्रिपुरा, निधि के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।
3. प्रादेशिक भविष्य-निधि-प्रायुक्त विहार (पटना) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण बिहार राज्य।
4. प्रादेशिक भविष्य-निधि-प्रायुक्त, दिल्ली के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण दिल्ली संघ राज्यक्षेत्र।
5. प्रादेशिक भविष्य-निधि-प्रायुक्त, गुजरात (अहमदाबाद) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण गुजरात राज्य और वादरा तथा नागर हवेली संघ राज्य क्षेत्र एवं गोवा, दमण और दीव संघ राज्यक्षेत्र के इमण तथा दीव क्षेत्र।
6. प्रादेशिक भविष्य-निधि-प्रायुक्त, कर्नाटक (बंगलौर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण कर्नाटक राज्य।
7. प्रादेशिक भविष्य-निधि-प्रायुक्त, केरल (विवेंड्रम) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण केरल राज्य तथा लकड़ीप संघ राज्यक्षेत्र एवं पांडिचेरी संघ राज्यक्षेत्र का सोह क्षेत्र।
8. प्रादेशिक भविष्य-निधि-प्रायुक्त, मध्य प्रदेश (इन्दौर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण मध्य प्रदेश राज्य।
9. प्रादेशिक भविष्य-निधि-प्रायुक्त, महाराष्ट्र (मस्कई) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण महाराष्ट्र राज्य और गोवा, दमण और दीव संघ राज्यक्षेत्र का गोवा क्षेत्र।
10. प्रादेशिक भविष्य-निधि-प्रायुक्त, उड़ीसा (भुवनेश्वर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण उड़ीसा राज्य।
11. प्रादेशिक भविष्य-निधि-प्रायुक्त, पंजाब (चंडीगढ़) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण पंजाब, हरियाणा और हिमाचल प्रदेश राज्य तथा चंडीगढ़ संघ राज्य क्षेत्र।
12. प्रादेशिक भविष्य-निधि-प्रायुक्त, राजस्थान (जयपुर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण राजस्थान राज्य।
13. प्रादेशिक भविष्य-निधि-प्रायुक्त, तमिलनाडु (गद्वाल) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण तमिलनाडु राज्य और पांडिचेरी ओर फराइस्ल क्षेत्र।

1	2
11. प्रादेशिक भविष्य-निधि-प्रायुक्त, उत्तर प्रदेश (कानपुर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण उत्तर प्रदेश राज्य।
15. प्रादेशिक भविष्य-निधि-प्रायुक्त, पश्चिमी बंगाल (कलकत्ता) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण पश्चिमी बंगाल राज्य।

[मं. ए. १२०१६(१०)/७५-पी० एफ०-१ (iii)]

New Delhi, the 21st March, 1977

S.O. 1045:—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), and in supersession of all the existing notifications in this regard the Central Government hereby appoints the Officers specified in column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof for the purposes of the said Act and the Scheme, the Family Pension Scheme and the Insurance Scheme framed thereunder in relation to any establishment belonging to, or under the control of, the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

TABLE

Officers (1)	Area (2)
1. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Andhra Pradesh and Yaman area of Union territory of Pondicherry.	Whole of the State of Andhra Pradesh and Yaman area of Union territory of Pondicherry.
2. All the Provident Fund Inspectors in the Office of the Regional Provident Fund Commissioner, North Eastern Region (Shillong).	Whole of the State of Assam, Manipur, Tripura, Meghalaya, Nagaland and the Union territory of Mizoram.
3. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Bihar (Patna).	Whole of the state of Arunachal Pradesh, and Bihar.
4. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Delhi.	Whole of the Union territory of Delhi.
5. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Gujarat.	Whole of the State of Gujarat and the Union territory of Dadra and Nagar Haveli and the Daman and Diu areas of the Union territory of Goa, Daman and Diu.

Officers (1)	Area (2)
6. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Karnataka (Bangalore).	Whole of the State of Karnataka
7. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Kerala (Trivandrum)	Whole of the State of Kerala and the Union territory of Lakshadweep and the Mahe area of the Union territory of Pondicherry.
8. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Madhya Pradesh (Indore).	Whole of the State of Madhya Pradesh.
9. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Maharashtra (Bombay).	Whole of the State of Maharashtra and the Goa area of the Union territory of Goa, Daman and Diu.
10. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Orissa (Bhubaneswar).	Whole of the State of Orissa.
11. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Punjab (Chandigarh).	Whole of the State of Punjab, Haryana and Himachal Pradesh and the Union territory of Chandigarh.
12. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Rajasthan (Jaipur).	Whole of the State of Rajasthan.
13. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Tamil Nadu (Madras).	Whole of the State of Tamil Nadu and the Pondicherry and Karaikal areas of the Union territory of Pondicherry.
14. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Uttar Pradesh (Kanpur).	Whole of the State of Uttar Pradesh.
15. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, West Bengal (Calcutta).	Whole of the State of West Bengal and the Union territory of the Andaman and Nicobar Islands.

[No. A 12016(10)/75-PFI(ii)]

का० आ० 1016—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रक्षीण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 13 की उपस्थारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और इस नियमित सभी विषयात अधिसूचनाओं को अधिकान करते हुए, नीचे की मारणी के मन्त्र (1) से विनिर्दिष्ट शब्दों की बाबत, उसके अधिनियम और उसके

अधीन विगचित किसी स्कीम, कुटुम्ब पेशन स्कीम और बीमा स्कीम के प्रयोगों के लिये, केन्द्रीय सरकार के या उसके विधानाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या क्षेत्र या नियिक उद्योग में सम्बन्धित किसी स्थापन या किसी ऐसे स्थापन के सम्बन्ध में जिसके शिखार या शाखायें एक से अधिक राज्य में हैं, निर्धारक नियुक्त करती है।

सारणी	
प्रधिकारी (1)	क्षेत्र (2)
1. प्रादेशिक भविष्य-निधि-आयुक्त समूर्ण आनंद प्रदेश राज्य क्षेत्र प्रादेशिक (हैदराबाद) के और पांडुचेरी संघ राज्य क्षेत्र प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण आनंद प्रदेश राज्य क्षेत्र प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।
2. प्रादेशिक भविष्य-निधि-आयुक्त, बिहार (पटना) के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण बिहार राज्य।
3. प्रादेशिक भविष्य-निधि-आयुक्त, दिल्ली के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण दिल्ली संघ राज्यक्षेत्र।
4. प्रादेशिक भविष्य-निधि-आयुक्त, गुजरात (ग्रहमदावाद) के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण गुजरात राज्य और वादरा तथा नागर हवेनी संघ राज्यक्षेत्र एवं गोवा, दमण और दीव संघ राज्यक्षेत्र के दमण तथा दीव क्षेत्र।
5. प्रादेशिक भविष्य-निधि-आयुक्त, कर्नाटक (बंगलौर) के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण कर्नाटक राज्य।
6. प्रादेशिक भविष्य-निधि-आयुक्त, केरल (किंबेद्रम) के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण केरल राज्य तथा लक्ष्मीप मथ राज्यक्षेत्र एवं पांडुचेरी संघ राज्यक्षेत्र का मोह क्षेत्र।
7. प्रादेशिक भविष्य-निधि-आयुक्त, मध्य प्रदेश (इंदौर) के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण मध्य प्रदेश राज्य।
8. प्रादेशिक भविष्य-निधि-आयुक्त, महाराष्ट्र (मुंबई) के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण महाराष्ट्र राज्य और गोवा, दमन और दीव संघ राज्यक्षेत्र का गोवा क्षेत्र।
9. प्रादेशिक भविष्य-निधि-आयुक्त, उड़ीसा (भुवनेश्वर) के प्रादेशिक कार्यालय के सभी महायक भविष्य निधि आयुक्त।	समूर्ण उडीसा राज्य।
10. प्रादेशिक भविष्य-निधि-आयुक्त, पंजाब (चंडीगढ़) के प्रादेशिक कार्यालय के महायक भविष्य निधि आयुक्त।	समूर्ण पंजाब, हरियाणा और हिमाचल प्रदेश राज्य तथा अर्जीगढ़ संघ राज्य क्षेत्र।

प्रधिकारी (1)	क्षेत्र (2)
1. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण राजस्थान राज्य। राजस्थान (जयपुर) के प्रादेशिक कार्यालय के महायक भविष्य निधि आयुक्त।	
2. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण तमिलनाडु राज्य और पांचित्तरी संघ राज्य क्षेत्र का पांचित्तरी शिक्क कार्यालय के सभी महायक भविष्य निधि आयुक्त।	
3. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण उत्तर प्रदेश राज्य। उत्तर प्रदेश (कानपुर) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।	
4. प्रादेशिक भविष्य निधि आयुक्त सम्पूर्ण पश्चिमी बंगाल राज्य। पश्चिमी बंगाल (कलकत्ता) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।	

[सं. ए. 12018(10)/75-पी. एफ.०-१(ii)]

S.O. 1046.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) and in supersession of all the existing notifications in this regard, the Central Government hereby appoints the Officer specified in Column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof for the purposes of the Act and the Scheme, the Family Pension Scheme and the Insurance Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

TABLE

Officers (1)	Area (2)
1. All the Assistant Provident Fund Commissioners in the Office of the Regional Provident Fund Commissioner, Andhra Pradesh (Hyderabad).	Whole of the State of Andhra Pradesh and the Yaman area of Union territory of Pondicherry.
2. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Bihar (Patna).	Whole of the State of Bihar.
3. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Delhi.	Whole of the Union Territory of Delhi
4. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Gujarat (Ahmedabad).	Whole of the State of Gujarat and the Union territory of Dadra and Nagar Haveli and the Daman and Diu areas of the Union territory of Goa, Daman and Diu.
5. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Karnataka (Bangalore).	Whole of the State of Karnataka.
6. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Kerala (Trivandrum).	Whole of the State of Kerala and the Union territory of Lakshadweep and the Mahe area of the Union territory of Pondicherry.
7. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Madhya Pradesh (Indore).	Whole of the State of Madhya Pradesh.
8. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Maharashtra (Bombay).	Whole of the State of Maharashtra and the Goa area of the Union territory of Goa, Daman and Diu.
9. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Orissa (Bhubaneswar).	Whole of the State of Orissa.
10. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Punjab (Chandigarh).	Whole of the States of Punjab, Haryana and Himachal Pradesh and Union territory of Chandigarh.
11. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Rajasthan (Jaipur).	Whole of the State of Rajasthan.
12. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Tamil Nadu (Madras).	Whole of the Tamil Nadu and the Pondicherry and Karaikal areas of the Union territory of Pondicherry.
13. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Uttar Pradesh (Kanpur).	Whole of the State of Uttar Pradesh.

Officers (1)	Area (2)
14. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, West Bengal, (Calcutta)	Whole of the State of West Bengal and the Union territory of the Andaman and Nicobar Islands.

[No. A.12016(10)/75-PFI(ii)]

का० आ० 1047.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपचार अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त भविष्यों का प्रयोग करने हुए, और इस निमित्त सभी विद्यमान अधिसूचनाओं को अधिकार करने हुए, नीचे की गारणी के स्तम्भ (1) में विनिर्दिष्ट अधिकारियों की सारणी के स्तम्भ (2) की तस्वीरन्धी प्रविष्टियों में विनिर्दिष्ट क्षेत्रों की बाबत, उक्त अधिनियम और उसके अधीन विवरित किसी स्कीम, शुद्धव वेशन स्कीम और बीमा स्कीम के प्रयोजनों के लिये, केन्द्रीय सरकार के या उसके नियन्त्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापंचन, खान या नेल क्षेत्र या नियन्त्रित उद्योग में सम्बन्धित किसी स्थापन या किसी ऐसे स्थापन के सम्बन्ध में जिसके विभाग या शाखाएँ एक से अधिक राज्य में हैं, तिरीकाक नियुक्त करनी है।

सारणी

अधिकारी (1)	क्षेत्र (2)
1. केन्द्रीय भविष्य निधि आयुक्त	सम्पूर्ण भारत
2. केन्द्रीय भविष्य निधि आयुक्त	सम्पूर्ण भारत
3. प्रादेशिक भविष्य निधि आयुक्त, आनंद प्रदेश (मुख्यालय, ब्रह्मदराबाद)	सम्पूर्ण आनंद प्रदेश राज्य और पांडिचेरी संघ राज्य क्षेत्र का यानम क्षेत्र।
4. प्रादेशिक भविष्य निधि आयुक्त उत्तर पूर्व क्षेत्र (मुख्यालय, शिलांग)	सम्पूर्ण आसाम, गणपुर, त्रिपुरा, भैषज्य, नागालैंड राज्य और मिजोरम तथा अक्षणाचन्द्र प्रदेश संघ राज्य क्षेत्र।
5. प्रादेशिक भविष्य निधि आयुक्त घट्टार (मुख्यालय, पटना)	सम्पूर्ण बिहार राज्य
6. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण विल्ली संघ राज्य क्षेत्र।	मम्पूर्ण विल्ली संघ राज्य क्षेत्र।
7. प्रादेशिक भविष्य निधि आयुक्त, गुजरात (मुख्यालय, अहमदाबाद)	सम्पूर्ण गुजरात राज्य और दादग नागर हवेली संघ राज्य क्षेत्र एवं गोवा, दमण और बीव संघ राज्य क्षेत्र के दमण तथा बीव क्षेत्र।
8. प्रादेशिक भविष्य निधि आयुक्त, कर्नाटक राज्य। कर्नाटक (मुख्यालय, बंगलौर)	सम्पूर्ण कर्नाटक राज्य।

अधिकारी (1)	क्षेत्र (2)
9. प्रादेशिक भविष्य निधि आयुक्त, केरल।	सम्पूर्ण केरल राज्य तथा लक्ष्मीप केरल। संघ राज्यकोत्र पर्व पांडिचेरी संघ राज्यकोत्र का माहे क्षेत्र।
10. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण मध्य प्रदेश राज्य। मध्य प्रदेश (मुख्यालय, इन्दौर)	मध्य प्रदेश (मुख्यालय, इन्दौर)
11. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण महाराष्ट्र राज्य और गोवा, महाराष्ट्र (मुख्यालय, मुम्बई)	मम्पूर्ण महाराष्ट्र राज्य और गोवा, दमण और बीव संघ राज्य क्षेत्र का गोवा क्षेत्र।
12. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण उडीमा राज्य। उडीमा (मुख्यालय, भुवनेश्वर)	मम्पूर्ण उडीमा राज्य।
13. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण पंजाब, हरियाणा और पंजाब (मुख्यालय, चण्डीगढ़)	मम्पूर्ण पंजाब, हरियाणा और पंजाब (मुख्यालय, चण्डीगढ़) संघ राज्य क्षेत्र।
14. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण गजस्थान राज्य। गजस्थान (मुख्यालय, जयपुर)	मम्पूर्ण गजस्थान राज्य।
15. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण नमिनाडु राज्य और नमिनाडु (मुख्यालय, भद्राम)	मम्पूर्ण नमिनाडु राज्य और नमिनाडु (मुख्यालय, भद्राम) पांडिचेरी मंघ राज्य क्षेत्र का पांडिचेरी और कराइकल क्षेत्र।
16. प्रादेशिक भविष्य निधि आयुक्त, मम्पूर्ण उत्तर प्रदेश राज्य। उत्तर प्रदेश (मुख्यालय, काशीपुर)	मम्पूर्ण उत्तर प्रदेश राज्य।
17. प्रादेशिक भविष्य निधि आयुक्त सम्पूर्ण पश्चिमी झगाल राज्य पश्चिमी झगाल (मुख्यालय, और अन्वस्थान तथा निकोबार कलकत्ता)	पश्चिमी झगाल राज्य और अन्वस्थान तथा निकोबार कलकत्ता संघ राज्य क्षेत्र।

[सं. प०-12016(10)/75-पी० एफ० 1(1)]

S.O. 1047.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), and in supersession of all the existing notifications in this regard the Central Government hereby appoints the Officers specified in column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof, for the purposes of the said Act and the Scheme, the Family Pension Scheme and the Insurance Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oil field or a controlled industry or in relation to an establishment having departments or branches in more than one State.

TABLE

Officers (1)	Area (2)
1. Central Provident Fund Commissioner.	Whole of India.
2. Deputy Central Provident Fund Commissioner.	Whole of India.
3. Regional Provident Fund Commissioner, Andhra Pradesh (Headquarters at Hyderabad)	Whole of the State of Andhra Pradesh and the Yanam area of the Union Territories of Pondicherry.

4. Regional Provident Fund Commissioner, North Eastern Region, (Headquarters at Shillong).	Whole of the State of Assam, Manipur, Tripura, Meghalaya, Nagaland and the Union Territories of Mizoram and Arunachal Pradesh.
5. Regional Provident Fund Commissioner, Bihar (Headquarters at Patna).	Whole of the State of Bihar.
6. Regional Provident Fund Commissioner, Delhi.	Whole of the Union Territory of Delhi.
7. Regional Provident Fund Commissioner, Gujarat, (Headquarters at Ahmedabad).	Whole of the State of Gujarat and the Union Territory of Dadra and Nagar Haveli and the Daman and Diu areas of the Union Territory of Goa, Daman and Diu.
8. Regional Provident Fund Commissioner, Karnataka, (Headquarters at Bangalore).	Whole of the State of Karnataka.
9. Regional Provident Fund Commissioner, Kerala (Headquarters at Trivandrum).	Whole of the State of Kerala, and the Union Territory of the Lakshdweep and the Mahe area of the Union Territory of Pondicherry
10. Regional Provident Fund Commissioner, Madhya Pradesh. (Headquarters at Indore)	Whole of the State of Madhya Pradesh.
11. Regional Provident Fund Commissioner, Maharashtra. (Headquarters at Bombay).	Whole of the State of Maharashtra and the Goa area of the Union Territory of Goa, Daman and Diu.
12. Regional Provident Fund Commissioner, Orissa (Headquarters at Bhubaneshwar).	Whole of the State of Orissa.
13. Regional Provident Fund Commissioner, Punjab (Headquarters at Chandigarh).	Whole of the States of Punjab, Haryana and Himachal Pradesh and the Union Territory of Chandigarh.
14. Regional Provident Fund Commissioner, Rajasthan (Headquarters at Jaipur).	Whole of the State of Rajasthan.
15. Regional Provident Fund Commissioner, Tamil Nadu. (Headquarters at Madras).	Whole of the State of Tamil Nadu, and the Pondicherry and Karaikal areas of the Union Territory of Pondicherry.
16. Regional Provident Fund Commissioner, Uttar Pradesh, (Headquarters at Kanpur).	Whole of the State of Uttar Pradesh.
17. Regional Provident Fund Commissioner, West Bengal. (Headquarters at Calcutta).	Whole of the State of West Bengal and the Union Territory of the Andaman and Nicobar Islands.

[No. A. 12016(10)/75-PF. I(i)]

का. आ. 1048.—फेद्रीय सरकार, कर्मचारी भविष्य निधि स्कीम, 1952 के पंरा 4 के उपपंरा (1) के खण्ड (ब) के अनुसरण में श्री एन. के. सोगानी को, भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वास मंशालय (श्रम और रोजगार विभाग) की अधिसूचना में का.आ. 3140 तारीख 29 अगस्त, 1967 के अधीन राजस्थान राज्य के लिए स्थापित क्षेत्रीय समिति का सदस्य नियुक्त करती है और भारत सरकार के श्रम मंशालय की अधिसूचना में का.आ. 3108, तारीख 14 नवम्बर, 1974 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में क्रम स. 9 के सामने की प्रविष्टि, “कामरूड हीरेन मुखर्जी, राजस्थान स्टेट ट्रेड यूनियन कॉन्फ्रेंस, ‘सोगानी भवन’ स्टेशन रोड, जयपुर-6” के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“श्री एन. के. सोगानी, राजस्थान स्टेट कमेटी आफ आल इरिण्डया ट्रेड यूनियन कॉन्फ्रेंस, सिन्धी कॉम्प के सामने, जयपुर”।

[सं. वी. 20012(4)/72-पी.एफ-2]

एस. एस. सहस्रनामन, उप सचिव

S.O. 1048.—In pursuance of clause (i) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri N. K. Sogani as a member of the Regional Committee set up for the State of Rajasthan under the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3140 dated the 29th August, 1967 and makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 3108, dated the 14th November, 1974, namely :—

In the said notification in the entries against serial No. 9, for “Com. Hiren Mukherjee, Rajasthan State Trade Union Congress, 'Somani Bhavan', Station Road, Jaipur-6” the following shall be substituted, namely :—

“Shri N. K. Sogani, Rajasthan State Committee of All India Trade Union Congress, Opposite Sindhi Camp, Jaipur”.

[No. V. 20012/4/72-PF. II]

S. S. SAHASRANAMAN, Dy. Secy.

S.O. 1049.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of East Bhuggatidh Colliery of Messrs Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 14th March, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (NO. 3) AT DHANBAD

Reference No. 27 of 1976

PARTIES :

Employers in relation to the management of East Bhuggatidh Colliery of Messrs Bharat Coking Coal Limited Post Office Jharia, District Dhanbad.

AND
Their Workmen

APPEARANCES :

On behalf of the Employers.—Shri Prasanta Burman
Junior Law Officer.

On behalf of the Workmen.—Shri S. P. Singh, Secretary,
Khan Mazdoor Congress.

STATE : Bihar

INDUSTRY : Coal

Dated, the 10th March, 1977

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under Order No. L-20012/32/76/DHIA, dated, New Delhi, 15-5-1976. It relates to Shri Manik Chandra Pashi and Diljan Bhar, Miners of East Bhuggatdih Colliery of Messrs Bharat Coking Coal Limited Post Office Jharia, District Dhanbad, and the matter involved is the justifiability of the action of the management in refusing to provide light job to two concerned workmen. The schedule of reference runs as follows :—

SCHEDULE

"Whether the action of the management of East Bhuggatdih Colliery of Messrs Bharat Coking Coal Limited Post Office Jharia, District Dhanbad in refusing to provide light job to S/Shri Manik Chandra Pashi and Diljan Bhar Miners on the ground of ill health is justified ? If not, to what relief are the workmen entitled ?"

2. The General Secretary, Khan Mazdoor Congress, by his letter dated 2-12-75, raised an industrial dispute before the Assistant Labour Commissioner (C), Dhanbad, when conciliation proceeding followed. The management, however, refused to provide the two concerned workmen with light job and thus conciliation proceeding failed. The A.L.C. (C) submitted failure report of conciliation proceeding to the Secretary to the Government of India, Ministry of Labour and then the present reference was made.

3. There are certain admitted facts in the reference. Manik Chandra Pashi was appointed as pick Miner on 3-11-67 and Diljan Bhar was also appointed as Pick Miner on 13-6-61. Manik Chandra Pashi became victim of backache and Sitisca and Diljan Bhar of T.B. as well as pain in his knee and both were under the treatment in the Central Hospital, Dhanbad, for a considerable time. When they were discharged the Medical Officer recommended light job on surface and advised them to attend the hospital periodically for check up and treatment. There was an agreement on 6-9-74 between the management of the Bharat Coking Coal Limited and the United Coal Workers' Union representing the majority of workmen by which Manik Chandra Pashi was to be provided with light job for a period of three months whereafter he was to go to his original work. Similarly, Diljan Bhar was to be given light job for 6 months. As per agreement the management provided them with light jobs and after the completion of three months in case of Manik Chandra Pashi and 6 months in case of Diljan Bhar the management refused to provide any light job and directed them to go back to their substantive job where they did not report. When they were refused light job they approached the Union which had entered into an agreement on their behalf but they refused to take up their cause. Thereafter, they approached the Khan Mazdoor Congress when the present dispute was sponsored.

4. Case of the workmen is that after expiry of the period mentioned in the agreement advice of the Medical Officer, Central Hospital was not sought for regarding the health of the concerned workmen and having refused to be provided with light job the management has thrown them out of employment and they are not in a state of health to join as pick miners. According to them it is incumbent upon the management to provide them with light job and their action in refusing them light job is unjustified.

5. On behalf of the management it is submitted that as number of light job available in a colliery is always very limited, the management cannot afford to provide light jobs to all the post-treatment workers for an indefinite period. In fact some sort of preference has to be given in this regard to the victim of mining accidents. It is further said that as per terms of the agreement they were provided with light job whenever available and after expiry of the period mentioned in the agreement they did not resume their original duties, nor they produced any reliable medical certificate recommending any light duties for extended period. They maintain that they are under no obligation to provide light duty to any workman as a matter of right and there are no rules, regulations, statute, contract or agreement to that effect.

6. In support of the workmen's case, the two concerned workmen have examined themselves. Manik Chandra Pashi as WW-1 and Diljan Bhar as WW-2. The management has examined Shri A. K. Srivastava Personnel Officer who was attached to the East Bhuggatdih Colliery from December, 1972 to October, 1976 as Welfare Officer and thereafter as Personnel Officer and he has also been signatory to the agreement Ext. M-1.

7. As the position stands the two concerned workmen were given light job under an agreement wherein the period was also fixed. Having taken advantage of the agreement it is not now open to them to turn round and say that they do not accept the agreement and they must be provided with light job so long as they wish. It is not disputed that they were under treatment in the Central Hospital and Manik Chandra Pashi was under treatment for about 1 1/2 years. So far as the other concerned workman is, he admits that he had been cured of T.B. but he has still pain near the leg. There is, however, no certificate or anything on their behalf recommending light job to them for extended period. If they were attending the hospital as advised by the physician had they been unfit to resume their duties he must have recommended light job on the surface for them. There being nothing on record to that effect it is very difficult to hold in their favour that they are still unable to work as Pick Miner.

8. The agreement was arrived at on 6-9-74 and Diljan Bhar was given light job for 6 months and Manik Chandra Pashi for three months. Manik Chandra Pashi has stated that he was put on light job for about a year. Diljan Bhar has not said as to for how long he was given light job but he admits that he was on light job intermittently for some time, certainly for more than 6 months.

9. Certain slips granted by the Central Hospital have been produced, five concerning Diljan Bhar and six for Manik Chandra Pashi. They have not been marked exhibits but I consider necessary to discuss them here to see if actually they are not in a position to work as Pick Miner. The slip dated 3-5-75 relates to Diljan Bhar in which he has been advised surface duties. There is another slip dated 10-4-75 in which he has been advised rest for four months. Although the advice was for 4 months the slip dated 3-5-75 shows that he was advised surface duties and not rest. No period is mentioned herein. So far as Manik Chandra Pashi is concerned he was advised light duties on 11-11-75 and prior to that on 17-4-75. As I have said earlier no certificate was brought from the Central Hospital advising them light job after expiry of the period mentioned in the agreement. Therefore, the slips are of no avail and do not make out a case in their favour for extended period of light job.

10. Besides, undoubtedly it is not at all obligatory on the management to provide them with light job. This aspect of the matter was considered by the Coal Wage Board and in Chapter 15 at page 47 Vol. I the Board considered the suggestions or alternative light employment for disabled workmen and recommended that the Government should look into the matter and formulate a proper scheme to ensure that disabled workmen were provided with such alternative employment. But no scheme has been framed by the Central Government so far and nothing has been done in this regard. Provision for light job is possible only if it is available and merely because some workmen have been provided with light job that cannot make out a case in favour of these concerned workmen.

11. MW-1 has stated that when the two concerned workmen were put on light job they were working the different types of jobs as and when available. He says further that they did not have light jobs with which they can provide many workmen. He says further that it is a fact that in the collieries many workmen claim light job but there is no scope. It would thus appear that as the position stands the workmen have no right to claim light job and the management is under no obligation to provide them with any such job for an indefinite period.

12. WW-1 has stated that he was on light jobs like Banksman and Munshi and a permanent Munshi has been appointed on that job and a casual workman has been appointed as a Banksman. Duties of Banksman is of a highly skilled type as defined in Regulation 52 of Coal Mines Regulations, 1957 as modified upto 31st March, 1967. It does not seem possible that he could have been provided with that job. If the permanent Munshi has been appointed in his place he can have no grievance on that score.

13. WW-2 Diljan Bhar has stated that he was working under ground pit on sampling work and subsequently says that he was working as cleaning Mazdoor. This type of job is also of a highly skilled nature as we get from the regulation No. 51 of Coal Mines Regulations, 1957 as modified upto 31st March, 1967. It does not seem probable that a Pick Miner could have been provided with such a job.

14. The fact, however, remains that they were given light jobs for a certain definite period as recommended by Doctor and subsequently they were asked to go back to their substantive job to which they did not report. The action of the management in not providing light job cannot be said to be unjustified in view of the fact that they are under no obligation to provide them with light job for an indefinite period. The contract between them and the employers was of service as a miner and that they have broken. In a similar reference the award of which was published in the Gazette of India dated July 19, 1969 at page 3046 the Tribunal had held that the employers could not be compelled to provide the affected workman with light job on the surface.

15. I am, therefore, of the opinion that the action of the management of East Bhuggatdi Colliery of M/s. Bharat Coking Coal Limited in refusing to provide light job to Shri Manik Chandra Pashi and Diljan Bhar, Miners on the ground of ill-health is justified and they are entitled to no relief.

This is my award.

S. R. SINHA, Presiding Officer
[No. L-20012/32/76-D, III(A)]

New Delhi, the 21st March, 1977

S.O. 1050.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Ram Kanali Colliery of Messrs. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 18th March, 1977.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR-COURT NO. 3, AT DHANBAD

Reference No. 18 of 1976

PARTIES :

Employers in relation to the management of Ram Kanali Colliery of M/s. B. C. C. Ltd P.O. Katrasgarh Distt.
Dhanbad;

AND

Their Workmen.

APPARANCES :

On behalf of the Employers—Shri P. K. Burmar, Junior Law Officer.

On behalf of the Workmen—Shri Shankar Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 11th March, 1977

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under Order No. L-20012/97/75-D, III(A) dated, New Delhi, 24-3-76 in which the two concerned workmen of Ram Kanali Colliery of Messrs. Bharat Coking Coal Limited are involved. It is concerning the action of the management in refusing work to the two concerned workmen with effect from 4-6-73. The schedule of reference runs as follows:—

SCHEDULE

"Whether the action of the management of Ram Kanali Colliery of M/s. Bharat Coking Coal Limited, P.O. Katrasgarh, Distt. Dhanbad is justified in not providing work to Shri Gopal Krishan Sahai, Munshi and Sachin Kumar, General Mazdoor with effect from 4-6-73 ? If not to what relief the workmen concerned are entitled ?"

2. It appears that when the two concerned workmen were not provided with job representations were made to the management and thereafter an industrial dispute was raised. The Assistant Labour Commissioner (C), Dhanbad, took up the matter and started the conciliation proceeding which, however, ended in failure and then a failure report was submitted to the Government when the present reference was made.

3. On behalf of the workmen it is said that Ram Kanali Colliery being a non-coking coal mine its management was taken over by the Central Government with effect from 31-1-73 and M/s. B. C. C. Ltd. was appointed additional Custodian General. Subsequently, it was nationalised with effect from 1-5-73 and M/s. B. C. C. Ltd. took over its ownership, management and control.

4. Their case is that at the time of take over the two concerned workmen were in the list of employees as they were working prior to 31-1-73. Subsequently, they became the employees of the Bharat Coking Coal Limited under the Coal Mines Nationalisation Act, 1973. But without any reason they were stopped from work with effect from 4-6-73.

5. They put in representations and the then Sub-Area Manager, Sub-Area No. VII wrote to the General Manager, Area No. II to absorb them as they were already there in Form B Register. Even then they were not given any job and consequently the industrial dispute was raised.

6. Case of the management is that on the date of take over and immediately thereafter the concerned workmen were not found in the colliery and reported for work after a considerable lapse of time. They were allowed to work with effect from 14-4-73 provisionally pending investigation and as it was found that they had been entered in Form B Register surreptitiously showing the dates of appointment as on 7-6-71, the management treated them as inductees and did not provide them with job.

7. It is further said that the concerned workmen had not worked in the colliery during the whole of the year 1972. Sachin Kumar had not worked for any day before he was allowed to join provisionally on 14-4-73 and Gopal Krishan Sahai was entered in wage sheets of the week ending 27-1-73 only by manipulation in record. It is accordingly said that the management was justified in refusing employment to the two concerned workmen.

In support of their case the two concerned workmen have examined themselves. Gopal Krishan Sahai as WW-1 and Sachin Kumar as WW-2 Ext. W-1 is a letter dated 31-12-74

and Ext. W 2 is a letter of the Sub-Area Manager dated 12-6-74. Ext. W-3 is a raising diary of under ground Murshu of the year 1973 produced by WW-1, Gopal Krishan Sahai.

9. On behalf of the management MW-1, Bonus Clerk and MW-2, Shri Nripendra Yadav, Personnel Officer, have been examined and bonus register of the year 1973 has been proved by MW-1 and marked Ext. M-1 and bonus register of the year 1972 has been proved by MW-2 and marked as Ext. M-1/1.

10. Bonus Register is prepared on the basis of wage-sheet. At page 227 in Ext. M-1 Gopal Krishan Sahai is mentioned and it appears that on 6-9-73 he received the bonus amount. At page 234 of the same Register bonus on behalf of Sachi Kumar, another concerned workmen, was received by his brother, Panchanan Kumar. It may be mentioned that Panchanan Kumar, brother of Sachi Kumar and Balram Prasad, brother of Gopal Krishan Sahai were working in the colliery from the time of the ex-owner.

11. In Ext. M-1/1 which is for the year 1972 there is no mention of the name of the two concerned workmen which means that they did not receive the bonus of the whole of the year 1972.

12. Nothing has been brought on record on behalf of the concerned workmen that they were member of the provident fund scheme and except Ext. W-2 and W 3 no document has been produced or their behalf to show that they were working in the colliery from the time of ex-owner and take over and nationalisation of the coal mine in question. Ext. W-3 is the diary of the year 1973 produced by Gopal Krishan Sahai which shows that he was working as an underground Murshu. Undoubtedly, it supports his case that at the time when the management of the colliery was taken over and at the time of nationalisation as well the concerned workman was there in the colliery and working in that capacity. He says that he was appointed in March, 1969 and worked till June, 1973. No appointment letter has been produced. But it is a matter of common knowledge that at the time when the collieries were in private hands everything was done in irregular manner viz. appointments were made entirely by the owner at his will, employees were discharged on his whims. Form B Register used to be in the custody of the owner's own man, every employee was not made member of the provident fund scheme and even every employee was not given bonus. There is one instance available on record which will show how the ex-owners were manipulating the documents and maintaining them according to their own sweet will.

13. We get from the evidence of MW-1 that in the first quarter of 1973 bonus was paid to 209 employees but MW-2 says that for the first quarter of 1972 only 37 employees were given bonus. We get from the evidence of this witness that he was appointed in 1969 and worked in the colliery concerned till 1974 and he has written Ext. M-1/1. He admits that a Welfare Officer was appointed only when the strength in the mine was upto 500. It means that in 1972 when he was working as Welfare Officer undoubtedly only 37 persons could not have been there working in the mine. It shows that Ext. M-1/1 is not a document on which any reliance can be placed and merely because the two concerned workmen did not find mention in this bonus register it cannot lead to an irresistible conclusion that they were not in the employment in the colliery in the year 1972.

14. Position, therefore, comes to this that no reliance can be placed on Ext. M-1/1 and in 1973 in the first quarter the two concerned workmen got their bonus. There is nothing surprising if they have not got appointment letter and they were not made members of the provident fund scheme. To me it appears that as the position is case of the workmen stands on a much better footing and in view of the fact they had received bonus in the first quarter of 1973 and MW-1 Gopal Krishan Sahai was maintaining Diary as an Under Ground Munshi in 1973, it becomes certain that they were there in 1973 and there is no material for a conclusion that they were not in employment in 1972 or earlier.

15. MW-1 was Bonus Clerk from 19th August, 1971 to 15th April, 1976 and he says that the concerned workmen were not working in the colliery prior to the taking over of the management. He admits in cross-examination that

he had no knowledge about the strength of the colliery prior to 10th August, 1971 and he cannot say what was the strength of the employees of the colliery on the date he joined and thereafter. He cannot say if at the time of the ex-owner all the persons working in the colliery were not in the list of employees and he cannot say if only few of them were allowed to contribute to provident fund. He has stated that he used to make posting in the Bonus Register only on the basis of wage sheets given to him. It would thus appear that his evidence is of negative nature and one thing is clear that bonus Register produced here cannot be relied upon as there is no wage sheets to support them.

16. So far as MW-2 is concerned, he says that before 31-1-73 the two concerned workmen had never worked in the colliery and he wrote the Bonus Register Ext. M-1/1 on the basis of wage sheets. As I have already said earlier wage sheets have not been produced. He has stated that wage sheets used to be verified on the basis of Attendance Register. That register has also not been produced. It seems that merely because no complaint was made to him regarding non-payment of bonus to the two concerned workmen in 1972 he is of the view that the two concerned workmen were not there in the colliery in the year 1972. To me it appears that his evidence does not carry us anywhere.

17. The two important materials in favour of the workmen are the Bonus Register of 1973 and Diary of 1973, Ext. W-1 and Ext. W-3 respectively. Then there is the letter Ext. W-2 dated 12th June, 1974 which speaks a volume in their favour. This letter was written by the Sub-Area Manager to the General Manager, Area No. II Sijua on the representation of Gopal Krishan Sahai, Munshi and Shri Sachi Kumar General Mazdoor. Sub-Area Manager has stated that on verification it has been found that the former was employed as Munshi and the latter as General Mazdoor at the West Ram Kanali Colliery at the time of take over and after take over they were allowed to continue to work in their respective capacity casually. He says further that on verification of Pay Register it is found that Shri Gopal Krishan Sahai had put in 47 days of attendance and Shri Sachi Kumar 36 days of attendance upto the date of stoppage of their work. The Sub-Area Manager has further said in the letter that in Form B Register the two concerned workmen were found. On these materials he recommended to the General Manager that as the two concerned persons were genuine workers of the colliery, they should be taken into employment if not regularly at least on casual basis.

18. On behalf of the management it is said that on investigation it was found that they were inductees and accordingly they were refused employment. There is nothing on record regarding that enquiry. It is only the statement made by the management in their written statement unsupported by any document.

19. Thus, while on behalf of the two concerned workmen there are documents on record, on behalf of the management there is nothing of substance and important materials to support their case have not been produced.

20. Therefore, in my opinion, there was absolutely no justification in stopping them from work with effect from 4-6-73. The jobs done by them were of permanent nature and they could not have been inducted on those jobs unless they were actually there working as genuine employees since long. Besides, if they were there at the time of nationalisation they could not have been refused employment against the statutory right which had been created in them under Section 14 of the Coal Mines (Nationalisation) Act, 1973.

21. That being so, action of the management of Ram Kanali Colliery of M/s. Bharat Coking Coal Limited, P.O. Katrasgarh, Distt. Dhanbad is not justified in not providing work to Shri Gopal Krishan Sahai, Munshi and Sachi Kumar, General Mazdoor, with effect from 4-6-73. They are entitled to reinstatement and back wages for the idle period from 4-6-73 till the date of reinstatement.

This is my award.

S. R. SINHA. Presiding Officer

[No. L-20012/97/75-D.III(A)]

S. H. S. IYPR, Desk Officer

New Delhi, the 22nd March, 1977

S.O. 1051.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the management of the Bank of Baroda Dabhoi and their workmen, which was received by the Central Government on the 9-3-77.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

Reference No. CGIT-6 of 1976

PARTIES :

Employers in relation to the Bank of Baroda

AND

Their workman Shri K. R. Mehta

APPEARANCES :

For the employers : 1. Shri C. V. Pawaskar,

2. Shri R. B. Pitale, Officers of Bombay Chamber of Commerce.

For the workman : Shri D. V. Gangal, Advocate.

INDUSTRY : Banking

STATE : Gujarat.

Bombay, dated the 10th February, 1977

AWARD

The Government of India, Ministry of Labour by order No. L-12012/96/75-D. II(A) dated the 20th July, 1976 in exercise of the powers conferred by clause (d) of subsection (1) of Section 10 of the Industrial Disputes Act, 1947 has referred an industrial dispute existing between the employers in relation to this Bank of Baroda and their workman Shri K. R. Mehta. The dispute is "whether the action of the management of the Bank of Baroda, Bhadian Branch, in terminating the services of Shri K. R. Mehta with effect from the 19th December, 1974 is justified? If not, to what relief is the said workman entitled?"

2. Having regard to the preliminary point raised and discussed below, it will not be necessary to set out the facts in detail. Suffice it to say that in respect of the termination of service of the same Shri K. R. Mehta with effect from the 19th December, 1974 as previous reference had been made by the Government of India, in the Ministry of Labour, which was registered by this Tribunal as Reference No. CGIT-38 of 1975. While referring the matter for adjudication to the Tribunal the order of Government of India stated that an industrial dispute existed between the employers in relation to the Bank of Baroda and their workmen. During the course of hearing two preliminary points were urged. The first was that no valid demand was made by the workman Shri K. R. Mehta on the management before commencement of the conciliation proceedings the next objection was that no industrial dispute existed between the Bank on one side and the workmen on the other since neither workmen nor any of the unions functioning in the Bank espoused the cause of workman concerned. Decision on the first point centred round the letter dated the 20th December, 1974 written by the workman to the Bank. The Tribunal held that though the letter was not couched in strong terms but it was nothing short of a demand made on the management. On the second point the Tribunal found that no industrial dispute existed between the Bank and its workmen. It held that an individual dispute cannot become an industrial dispute under Section 2(K) of the I. D. Act unless it is espoused by the union of workmen or majority of workmen employed in the establishment and a demand is

made by either of them prior to the commencement of the conciliation proceedings. In the above circumstances the Tribunal by award dated the 1st May, 1976 held that the reference made by the Government was not competent and accordingly rejected it.

3. The present reference as already stated above was made on the 20th July, 1976.

4. The preliminary objection that has been taken on behalf of the Bank of Baroda is that the Award dated the 1st May, 1976 in Reference No. CGIT-38 of 1975 was received by the Central Government and it was published by notification dated the 17th June, 1976. The Award being in force and no notice for its cancellation having been given under Section 19(6) of the Act, it was submitted that no fresh dispute could be raised. It is also the Bank's contention that no demand having been served on the management there can be no industrial dispute within the meaning of Section 2(K) of the Act.

5. The learned Counsel on behalf of the workman strongly urged that the previous reference was not disposed of on merit and as such did not bar the present reference. In support of his contention he placed reliance on the Management of Pandavpura Sahakara Sakkare Karkhana Ltd v. State of Mysore and others (F.L.R. 1968 (17) 425). What had happened in that case was that when on the second time adjournment was asked by the workmen the prayer was refused and the Tribunal disposed of the reference observing : "From the Charter of demands it is clear that the first Party has to establish their right to those demands. The attitude adopted by the Secretary indicates that the First Party workmen were not very keen about prosecuting this case. I, therefore, find that the First Party has failed to substantiate the Reference. For the above said reasons the Reference fails and the same is rejected". This was on the 8th August, 1967 and this was treated by the Government as an award and published in the Gazette. Thereafter Government made another reference. It was held in the above case that "Even when the workmen were placed ex parte the Tribunal was not absolved of its duty to make its determination on the industrial dispute which it was called upon to decide. The determination which Section 2(b) of the Act speaks of is adjudication on merits. Rejecting the reference on the ground that the first party (Union) has failed to substantiate the reference is not valid disposal; and is no bar to a fresh reference". It will be noticed that the facts of the present case are entirely different. It was after hearing the parties fully and considering the points raised that the Tribunal made an Award and it was not an ex parte affair.

6. Law as to the maintainability of the second reference has been laid down in sub-Sections (3) and (6) of Section 19 of the Act. Under sub-Section (3) of Section 19 an Award shall, subject to the provision of the section, remain in operation for a period of one year from the date on which the award becomes enforceable under Section 17A. Under sub-Section (6) notwithstanding the expiry of the period of operation under sub-Section (3), award shall continue to be binding on the parties until a period of two months has elapsed from the date on which notice is given, by any party bound by the award to the other party or parties intimating its intention to terminate the award. That these provisions are mandatory will appear from the decision of the Supreme Court in Aluminium Factory Workers' Union v. Indian Aluminium Co. Ltd. (1962, I, LLJ, 210) and in Bangalore Woollen, Cotton and Silk Mills Company Ltd. v. Their workman and another (1968, I, LLJ, 555). It will also appear from this latter case that before the Tribunal only two preliminary objections were raised and the Tribunal recorded its findings thereupon. Even then the Supreme Court held that bar of Section 19(6) was fully attracted. In my opinion, therefore, although the previous reference decided the question that there was not industrial dispute provisions of sub-Section (6) of Section 19 operates as a bar to the present reference. For the reasons given above the reference made by the Government of India, Ministry of Labour by its order No. L-12012/96/75-D-II(A) dated the 20th July, 1976 is incompetent and it is accordingly rejected, but in the circumstances without any costs.

J. NARAIN. Presiding Officer

[F. No. L-12012/96/75-D. II. AJ]

R. P. NARULIA, Under Secy